

# The Nation.

NEW YORK, THURSDAY, DECEMBER 8, 1870.

## The Week.

THE President's message has, like all his compositions, the merit of directness and clearness and simplicity—forming in this respect a marked contrast to the State papers of most of his later predecessors, except Mr. Lincoln. Nothing can be better than the account of the "policy" of the Administration which he gives in the closing paragraph—faithfulness and economy in the collection and disbursement of the revenue, reduction of taxation, fair dealing and avoidance of war with foreign powers, reform in the civil service and in the treatment of the Indians, the prompt payment of the public debt, and the purification of elections. Nothing could well be more attractive than all this. Looking through the message for the necessary explanation of these various generalities, we find that with regard to the foreign policy of the Government, Mr. Washburne did not, as we and most other people supposed, recognize the French "Republic" on his own responsibility. He was directed to do it by telegram from Washington. But the President falls into a curious error when he says that this telegram was sent "as soon as he learned that a Republic had been proclaimed in Paris, and that the French people had acquiesced in the change." The President had no information at that time as to the feeling of the French people about the change of government, and could not have had; and, as there is now no doubt, hastily and suddenly and needlessly recognized a form of government which was not pleasing to "the French people," and which they were not, and have not yet, been consulted about. All that he need have done till the people had been consulted was to recognize the Provisional Government as the *de facto* government of the country. He relieves Mr. Washburne also in some degree from an imputation thrown on him by Mr. Kapp in our columns, by saying that he had discharged the duties of the protectorate assumed over German subjects resident in France to the satisfaction of the North German Government; we believe, however, the North German people do not share the satisfaction of the Government. The message bears hard on Spain for her arbitrary proceedings towards American citizens in Cuba, and once more urges, with an approach to enthusiasm, the annexation of St. Domingo, both on political and commercial grounds. It repeats that curious assertion about the imports from St. Domingo helping us to pay the national debt which has made so many people eager to learn who supplies the President with his political economy. He is evidently still of opinion that if the American flag was hoisted in the island, a mysterious change would take place in the character of Dominican products, which would enable the Treasury to profit by them in a way it could not now do. This and his remark about the difficulty in the way of paying the national debt, caused by the exports of the gold of our mines, shows that he is still laboring under the delusion that the debt can be paid in some other way than by taxation, and that by keeping things in the country simply, the burden of the Government can somehow be lightened. The *Alabama* claims he dismisses in a few words, still without defining the satisfaction to which he thinks the United States is entitled, but he very wisely recommends Congress to pay the individual claimants, and thus transfer their rights to the United States. This ought to have been done long ago. On the whole, all that he says of the foreign policy of the Government, whatever objection may be taken to some details, is wise, temperate, and statesman-like, and proves that Butler's rhodomontade finds no echo at Washington. The statement of the case against Canada, as regards the fisheries, and the navigation of the St. Lawrence, will command the assent of all intelligent men.

About revenue reform, the President talks somewhat loosely, declaring that if "revenue reform" means the collection of the whole revenue by direct taxation, or the failure to provide money to meet the public liabilities, he is opposed to it. With all respect be it said, this is very foolish talk. He might nearly as well have declared

that "if revenue reform means arson and plunder, I am opposed to it." When he made up his mind to mention the subject, he ought to have taken pains to find out what the revenue reform really did call for. There is something very uncandid, to use a mild word, in pretending to believe that any man who asks to have the present tariff simplified, and the duties lowered and diminished in number, must want either direct taxation or repudiation. He ought to have left this sort of talk to the *New York Tribune*. About the civil service reform he speaks as frankly and heartily as regards the need of it as any one could desire. We only wish he had gone into details, and had submitted or suggested a plan. All Congressmen and politicians are in favor nowadays of "civil service reform;" but when you come to ask them to support a particular measure of reform, they "swear off." The President might bring them up to the mark by banishing Forney, Chandler, and Cameron from his confidence, by sending all office-seekers before a board of examiners, by forbidding the levying of black-mail in the guise of "assessments," and by urging on Congress the passage of a law creating machinery for putting an end to Congressional interference with appointments.

The Report of the Secretary of the Treasury is looked upon as important mainly for indicating what a shrewd politician thinks are to be the earliest national issues. It consists principally of arguments in favor of protection and against civil service reform, neither novel nor wise. Beyond these, it admits the failure of the funding scheme as now authorized, and asks for authority to increase the amount of 5 per cent. bonds to be issued for the purposes of funding. It suggests rather than recommends that national banks be prohibited from paying interest on deposits of any kind, and in compensation offers to have their mutilated currency exchanged at Government expense. It hints at the public sentiment in favor of substituting greenbacks for national bank notes, but takes strong ground in favor of the banks, "as agencies by which business is established (!) and fostered," and as entitled, therefore, we infer, to tax the public for their private benefit. The Secretary unconsciously furnishes a strong argument against high import duties, by showing the increased expense of collecting the revenue and the enormous increase in the opportunities for smuggling. A plea for better salaries for the Department clerks, and a feeble assertion that the reduction of the debt has helped the spread of republicanism in Europe, close a report which hints at many things, but speaks out on none. The report of the Comptroller of the Currency is a plain, sensible business document. Its chief interest is to be found in the acknowledged failure of the "Currency Bill" of last session, which, as we repeatedly explained at the time, was an absurdity. No distribution of currency under it has taken place, and only \$3,000,000 have been added by it to the banking capital of the country, showing clearly that deficient banking facilities in any part of the Union are due to a deficiency of *capital*, which legislation cannot supply.

We asked last week for a sight of the "examination papers" of the seat of learning known as the Treasury. We subjoin, in the meantime, one we use in one of our fashionable custom-houses—we will not mention which—over which Mr. Boutwell also presides. It will be seen that anybody who passes this ordeal must be a perfect pundit. The universities must look to their laurels. We may add that we reproduce the printed form verbatim:

Examination of.....

For the Office of.....

1. What is your age?
2. Where were you born?
3. If not born in the United States, are you a naturalized citizen?
4. When and where were you naturalized, and in what court?
5. Where do you reside?
6. Have you a family, and if yes, of how many persons?
7. Where does your family reside?
8. Have you any profession or trade, and if so, what?
9. Are you at present engaged in any business, trade, or occupation? If yes, what and where?
10. Have you ever held any civil office in any department of the Government, and if yes, what office, and when?
11. In what profession, business, occupation, or trade have you been

engaged within the last ten years? Give the names of the persons by whom you have been employed.

12. Have you served in the Army or Navy of the United States? If so, in what capacity, when, and how long?

A great many papers and politicians have, during the last fortnight, been trying to find some one who says he is going to found "a new party," but have thus far been unsuccessful. The *Chicago Tribune* denies that it entertains any such intention, or ever did; Senator Schurz denies it, and the *New York Evening Post* denies it, and Gratz Brown gives no sign of having any such enterprise in hand. The result is great chagrin amongst the people, who think the great and only work of the Republican party now is the reduction of the national debt. What has been taken for a desire or design to found a new party has been simply a design to make the old party attend to the proper business of the party in power, by legislating for the necessities of the time. There is a strong disposition on the part of the old hacks not to do this, but to go on infusing "economy and efficiency in the collection of the revenue," and nothing would please them better than that those who are not satisfied with this should take themselves off and try to establish a little concern of their own, and give no further trouble. We believe the intention of the malcontents, however, is and always has been, to stay where they are and give all the trouble they can. Whenever the time comes to establish a new party, it will make its appearance, whether anybody charges himself with the special work of getting it up or not.

Paris has had almost a week of firing and fighting around its walls. On Monday, Nov. 28, the forts, especially those to the south, opened a furious cannonade against the Prussian positions, which was maintained during the following night and day. Fort Mont Valérien was particularly active about midnight, when the French began a movement against Bezons, on the outer peninsula, formed by the bends of the Seine, north-west of the city, and made an attempt, real or feigned, to throw bridges across that river. The Prussians were concentrated on the peninsula, and the fighting at this point did not go beyond an exchange of musketry fire from the opposite banks. At eight in the morning of Tuesday, the 29th, another half-serious attack was made on the Prussian Fifth Corps at Montretout, south of Mont Valérien, by Gardes Mobiles, the heavy cannon of a new outwork of this fort and gunboats on the Seine co-operating. The shelling was vigorous, but the infantry attacks were only of a tentative kind, and more apparent than real. After a few hours of skirmishing, the Gardes Mobiles were withdrawn. The real sortie in force of that day began about an hour after the opening of the demonstration against Montretout, the besieged coming out from Villejuif, in front of the southern forts Bicêtre and Ivry, and advancing against the Prussian Sixth Corps and the Second Bavarian, stationed around L'Hay, Chevilly, and Choisy-le-Roi. Here, too, gunboats on the Seine and the cannon of a newly erected outwork covered the assault, which was fierce at the beginning, but gradually slackened, the field-batteries of the Germans throwing the French into disorder. After two hours' fighting, General Vinoy, who commanded the sortie, withdrew. General Ducrot, it is stated, was prevented from making a concerted movement further east, across the Marne, by a sudden rise in this river. The entire German loss in the various actions of the 29th, according to a Versailles bulletin, consisted in a few hundred men, "while the French lost sixteen hundred in prisoners alone."

Cannonading was kept up by the French throughout the following night, and on Wednesday, the 30th, more vigorous and combined, though not quite simultaneous, sorties were made under Vinoy, Ducrot, and perhaps Trochu himself, against the Prussians on the south, the Württembergers on the south-east, and the Saxons on the east, accompanied by serious demonstrations on the north and west against the Prussian Fourth Corps and the Guard. The principal fighting took place on the southeast and east, around the double curve of the Marne—which Ducrot crossed with a very heavy force—at Mont Mesly, Bonneuil, Ormesson, Champigny, Villiers, Brie, and Noisy-le-Grand. A number of positions were taken by the French, who fought with unusual vigor, but ultimately most of them were retaken—the Württembergers,

who seem to have borne the brunt of the protracted battle, receiving heavy reinforcements from several Prussian corps. King William, in announcing the result, states that the French were "driven back behind their works in all cases," and General Von Tümping, in a separate despatch, adds, "The German losses were trifling;" but neither statement is fully borne out by subsequent reports. The facts are, that the Württembergers and the Prussian Second Corps alone lost about sixteen hundred men, and that the French, though repulsed with heavy loss from most of the ground gained in the earlier hours of the several conflicts, remained in possession of the Marne peninsula east of the Bois de Vincennes, and of various bridges thrown across the river.

On Thursday, Dec. 1, no attempt was made either by the French to advance or by the Germans to dislodge Ducrot from the east bank of the Marne. At daylight of Friday, the 2d, however, a powerful assault was made on the French positions at Brie and Champigny, at the outer extremities of the Marne peninsula, by two corps under the Crown Prince of Saxony and a division of Württembergers. Ducrot withdrew within the peninsula, towards Le Tremblai, covering his flanks by the river. The advancing Germans suffered severely from the fire of Forts Nogent and Rosny, and when met by fresh troops from the city, crossing near Brie, momentarily gave way, but subsequently rallied, and the sanguinary contest ended with the retreat of the French, who abandoned Brie and Champigny with the loss of eighteen hundred prisoners and seven guns, but continued to hold the bridges across the Marne. The losses in killed and wounded were heavy on both sides, the Württembergers alone officially acknowledging a loss of eight hundred and forty-eight. On the 3d, there was no fighting of moment, but the French, receiving new reinforcements, seem to have advanced once more, and to have reoccupied Champigny, for later reports again announce their abandoning it. At last accounts they were massing at Creteil, in front of Fort Charenton, between the Marne and the Seine. The Prussians are said to expect reinforcements from General Manteuffel's army, which is reported to have occupied Albert, Abbeville, and Rouen.

Simultaneously with these conflicts, the German and French armies north of the Loire were engaged in a no less serious and important struggle. On Monday, the 28th, General D'Aurelles de Paladines, with two corps and portions of two others, made an attack on Prince Frederic Charles's army, at Beaune-la-Rolande, between Montargis and Pithiviers, with the intention, it is believed, of breaking through the vast semicircle of forces pressing on the Army of the Loire, of separating the Grand-Duke of Mecklenburg and Von der Tann from the Prince, and then pushing directly on Paris by way of Fontainebleau. This bold scheme was defeated by a signal repulse, in which the French, according to the Prince's report, lost five thousand killed and wounded and sixteen hundred prisoners, while the total German loss amounted only to one thousand. Contracting their forces towards more central points opposite Orléans and the strong French positions at Artenay, Chevilly, and Neuville, north of that city, the Germans evacuated a number of places previously occupied in the Departments of Sarthe, Loir-et-Cher, and Loiret, and resumed the offensive. On the 30th, according to French reports—which are neither confirmed nor contradicted—they met with a repulse; but on the following day, Thursday, December 1, Von der Tann defeated the Army of the Loire, the bulk of which had shifted its positions to the left, in several successive engagements near Artenay; and on Friday, the 2d, the right wing of the Germans, under the Grand-Duke, achieved a more decisive victory over two French army corps at Bazoches-les-Hautes, driving them towards Orléans, and capturing several hundred prisoners and eleven guns. Frederic Charles himself completed the defeat of the Army of the Loire on Saturday, the 3d, by forcing it from its entrenched positions at and around Chevilly. D'Aurelles de Paladines thereupon advised the Government at Tours of the necessity of evacuating Orléans and retreating to the south bank of the Loire. The Government hesitated to give up the last chance of opening communications with the besieged capital, and D'Aurelles de Paladines himself for a moment changed his opinion, but the capture by the Prussians of a suburb of Orléans, in which thirty



guns and a thousand prisoners fell into their hands, finally decided the abandonment of the city. At what point the shattered French army intends to make another stand, we have yet to learn. In the meanwhile, Garibaldi tries to comfort the French Government by frequent announcements of successes—of little magnitude, however—achieved before Autun, and between it and Dijon. The mention of all the three corps of Frederic Charles's army in the accounts of the battles before Orléans proves that General Von Werder, who operates in Burgundy, has not been reinforced by the Tenth Corps, as was previously reported.

Prince Gortchakoff's circular in reply to Earl Granville, about which there has been so much curiosity, has reached us in full, but contains nothing of importance except the form with which the public had not been already made familiar through the telegraph. The form is, however, of importance, as it is in this that the real intention of Russia is at this stage of the proceedings to be looked for. It was the brusqueness of the first note which led to the general expectation of war. Nothing can, however, be more conciliatory than the tone of the second. It says the peremptoriness of the first was unavoidable, as it seemed impossible for Russia to get redress through a general congress, while the great change in the circumstances of Europe since 1856, as well as the galling nature of the conditions imposed by the treaty of that year, made it intolerable for her. If England, however, now thinks a congress can be got together, nothing will please Russia better than to take part in it, and she is ready to "maintain her adhesion to the general principles of the treaty, and to conform to its general stipulations or to renew them," provided she be released from the restrictions it imposed on her alone of the signatories. The sum and substance of the whole matter is, that while Russia does not recede from her position, she is not ready to commit any overt act in support of it, does not meditate any aggression at present against Turkey, or the assumption of any exclusive guardianship of the Eastern Christians, and is really anxious not to fight. What has influenced her in taking up this more pacific tone is matter of doubt; but it is either the bellicose temper displayed by the English public—the state of the public mind in England being something which Russian statesmen apparently find it difficult to understand—or else expressions of dissatisfaction from Bismarck at Russia's early move—the "understanding" between them having probably put off all action in the matter till the close of the war with France. As long as the siege of Paris lasts, and the Army of the Loire is still in existence, Bismarck is hardly prepared for any fresh complications, and he may have, and probably has, expressed his dissatisfaction at the introduction of the Black Sea question on the scene. The last news looks more warlike, being neither more nor less than a despatch from Granville asking for the withdrawal of the first Gortchakoff despatch, which might be pacific enough, if not accompanied by an implied threat that in case of refusal the English embassy would be withdrawn from St. Petersburg.

Carlyle has written a letter to the papers on the Franco-Prussian struggle, taking the ground with regard to the moral aspect of the war, and the justifiability of Prussian claims on Alsace and Lorraine, with which the Germans and their sympathizers have already made the world familiar, but of course presenting it much more strongly and more picturesquely than others by his peculiar diction. He is terribly severe on French character, and especially on their mendacity; but the facts of the war unhappily go far to justify him. He ought to have pointed out, however, what every day appears more clear, that while a man may be a tremendous liar, and yet an excellent artist, or a useful philanthropist, or soul-stirring humanitarian, the habit of untruthfulness is fatal to success in politics, and any people of whom it has taken possession may bid farewell to good government until they can get rid of it; and to this danger any people which takes up the sentimental method in dealing with politics is, as we have several times tried to show, peculiarly exposed. The reason is plain enough: the Sentimentalist finds nearly all his premises in his own emotions and assumptions, and is almost always in a state of great exaltation. Now, reasoning from his own emotions and assumptions, he is constantly brought into collision with the facts of life, and being unable to get rid

of them, and being prevented by pride and excitement from surrendering his preconceptions, he is strongly tempted, first, into shutting his eyes to the facts, and then—finding that this does not convince others—into denying their existence, or presenting them in a false light. But the art of politics consists wholly in the observation of facts, and in the adaptation to them of manners and legislation. It is his keener perception of the facts of human nature which leads the New England farmer, for instance, to submit to debate and vote on questions which the Irish peasant endeavors to decide by giving his opponents a "batin" with a stick. Every young man, therefore, who wants to serve his country as a citizen, will set his face against transcendental politics as, next to the tyranny of brute force, one of the greatest curses that can afflict a people, and will cherish the habit of seeing and talking about things exactly as they are. It is not always pleasant, but it is healthy.

There is, perhaps, no better feature in the new English Education Bill than that which makes women eligible for the school-boards. There is probably no work of the world for which they have such undeniably high qualifications as the work of education, and they have had an experience of it such as the other sex can certainly lay no claim to; and they stand in a relation to children which men can never assume, no matter how hard they try. That nature meant women to be teachers at least, is a proposition which finds a place in every theory of their rights and duties. Whenever and wherever the conditions under which children can best be taught comes up for discussion, they are entitled to the first hearing. It is gratifying to find, therefore, that the three ladies who presented themselves as candidates for the London School Board have all been elected, and more gratifying still to know that two of them at least have done honest work. Miss Garrett has done an amount of research, and hard thinking based on research, which have placed her in the foremost ranks of the medical profession, and has thus done more for the suffrage "cause" than ten dozen stump-orators and tract-distributors. A good many women have entered on the thorny path in which she is winning honors, and they may rest satisfied that they are the real champions of their sex, if champions it must have. The work of the hour for women is not going about preaching that women ought to be lawyers, but learning law; not preaching that women ought to be doctors, but studying medicine; and not declaiming in halls on the intellectual equality of the sexes, but buckling down, in lonesome, dull studies and chambers, where nobody is looking on, and proving it by thinking a few things out the way men think them. This would not be half as agreeable as attending a convention, but it would be vastly more effective, and is vastly more effective wherever tried.

In the face of the apparent pacific aspect of the Eastern question, cotton has declined both here and abroad, under extraordinarily heavy receipts at our Southern ports, which strengthen the prevailing belief in a very large crop. Breadstuffs are dull and lower, as are also meats and dry-goods; and coal is decidedly lower. In short, with few exceptions, everything is gradually, slowly declining in price. There continue to be occasional failures, and here and there a suspension of work, with rumors of numerous intended strikes, but there is no alarm or uneasiness anywhere, only a steady settling down of consumption to a basis of the strictest economy, with a corresponding decline in the amount of business done, and a more than corresponding decline in prices. The wool trade and wool manufactures are almost the only interest reporting an improved trade after the severe depressions suffered for the last four years. Real estate, after one or two successful public sales, looks better, but dealers are anxious and nervous. It is noticeable that in many public sales under foreclosure, only a nominal price over and above the mortgage is reached, showing that too large advances have been made. It is also remarkable that second mortgages can be bought constantly at rates yielding an interest of ten and twelve per cent. per annum—sure evidence of speculative holdings in weak hands. The chronic dullness of Wall Street has been relieved by a slightly increased activity in money, owing mainly to the shipment of currency to the South and Southwest, to aid in the movement of cotton and pork.

## POLITICAL "WORK."

WHEN the Reform Bill—that is, the bill abolishing "rotten boroughs" and enfranchising the great towns, or, in other words, giving the election of members of Parliament to qualified voters instead of having them nominated by peers or large landowners—was before the English House of Lords in 1831, the Duke of Wellington asked a question about it which has since become famous, and which expressed very concisely the objection to the abolition of great abuses felt by most upholders of them. He enquired with great emphasis, if the bill was passed and the House of Commons converted into a popular representative body, "how was the king's government to be carried on?" That is, his mind was so familiar with the nomination of the members of one house by the members of the other, that it had assumed in his eyes the shape of the only possible way of making a constitutional monarchy work—a part, in short, of the natural order of things. Alter it, and the whole machine, as it seemed to him, would go to pieces.

The feeling entertained so extensively by politicians in this country, and which they avow in very much the same artless, puzzled way as the Duke of Wellington—that the work of party government cannot be carried on if the mode of hiring and discharging government officials now in vogue should be modified—is another and no less interesting illustration of the working of the law of association in a widely different state of society. The state of facts out of which this feeling has taken its rise here is of much more recent date than the phenomena on which the Wellingtonian mind dwelt with such fond faith, and it derives even less support from the generally received theory of the Government or from the national manners. The English rotten boroughs were originally real boroughs with more or less population, and the great towns which the Reform Bill found unrepresented were not in existence when the basis of representation was fixed. So that, putting together the English reverence for established usage and for aristocracy, and the ancient hold of the great landowners on the management of political affairs, there was something by no means illogical or unaccountable in the constitution of the old House of Commons, and it could also be said in its favor that it had contributed to the roll of English statesmen most of its brightest names. Many of the greatest English politicians, indeed we might say most, made their first appearance in Parliament on the nomination of peers; so that, on the whole, the poor Duke, whose mind was anything but philosophical, might well have been pardoned for fearing that any change in the system meant chaos.

Our system of filling offices, on the other hand, is utterly opposed to the theory of the Government. In the first place, it deprives the President of power committed to him, and relieves him from responsibility expressly imposed on him by the Constitution. In the second place, it causes members of Congress to attempt the performance of executive functions to the neglect of their legislative functions, or, rather, saddles the same men with the performance of two sets of incompatible duties, a combination which in the theory of this Government has no place whatever. In the third place, it is not of ancient date; it took its rise under the eyes of men now living. In the fourth place, its origin is not respectable; it was originally a device resorted to by a bad, bold, and unscrupulous man for the gratification of his malignant passions. In the fifth place, it is utterly opposed to the usages of the country, which is *par excellence* a country of business men and business habits, and therefore is in no way prepared for the spectacle of large bodies of persons employed at regular wages to do work requiring honesty and industry and skill, without reference to their character and qualifications, and liable to dismissal in spite of their efficiency. There is nothing in the habits or traditions of the people calculated to make this state of things seem natural or desirable; on the contrary, their whole training has a tendency to make it seem unnatural and undesirable. Nevertheless, forty years' familiarity with it has satisfied large numbers of ordinarily sensible persons that, good or bad, it is indispensable, and has deprived them of the power of conceiving of party government in a republic without it, just as familiarity with rotten boroughs deprived the Duke of Wellington of the power of conceiving of a government based on a fair popular representation.

We have before us the letter of a correspondent, who brings out in a striking way the strength of the hold which this association of ideas has secured on people's minds. He says:

"I was talking about the civil service to-day with a broken-down clergyman, whose old parishioners had secured him some sort of work to do at Washington. He said frankly that he would rather see his son carrying a hod than acting as a Government clerk; yet he had written against Mr. Jenckes's Civil Service Bill last winter (which he said made quite a stir in the departments), and he could not see his way clearly to the abolition of the present system of appointments. 'Most of the work done at Washington,' said he naively, 'is political work; and there must of necessity always be a great deal of such work to be done. Now, just here lies an argument that I have never yet found any one able to answer. Perhaps you can. How is this work to be done? We are not a very patriotic people. Men will not do this work without pay, and I see no way of paying them save to provide them with places under Government.' Now, this may not seem to us a very telling argument; yet the fact that an educated and well-meaning man, who sees the enormous vices of our present system, considers it unanswerable, and in his experience has never seen it answered, makes it perhaps worthy of a formal reply."

Here we have put in a roundabout way the very question which the Duke of Wellington put to the House of Lords: "Suppose you select these clerks by competitive examination, and let them stay in office during good behavior, how is the people's government to be carried on? Who is to do the political work which has to be done if the government is to last?" Nor does one hear these questions from "broken-down clergymen" only, who may be fairly supposed to have lost heart and hope. They come just as freely from the lips of the large body of "practical men" engaged in the conduct of the political game, and they receive suggestions of change with the same air of amused incredulity and disgust with which, we may suppose, the old Duke would have listened to a young reformer's declamations on the advantages that would flow from the adequate representation in Parliament of Manchester and Birmingham.

Now, to get at the exact value of this question, we have to change its form a little, and ask what would happen if the whole body of Federal officials were to-morrow absolutely forbidden to do any electioneering work, and if the ups and downs of party warfare were made an object of absolute indifference to them. Well, in the first place, it being admitted, as we suppose it will be, that, when the time came to elect members of Congress, the proper proclamations would be issued, and the polls opened by the officers appointed to the discharge of these duties by law—does anybody suppose really that there would be in the different districts no persons either patriotic enough or enough interested in the return of a particular man to meet and nominate a candidate under these circumstances; that the whole community would be so absorbed in its affairs that ten men even could not be found to come together in a room to select and recommend somebody for the suffrages of the electors? Is it not absolutely silly to suppose anything of the kind? Does not everybody know that the political interest and activity of that vast proportion of the public who never expect either to hold an office or ask for one, are very greater than ever seen in any country in the world; that a very large number of persons are devoured by an idea which they wish to see embodied in legislation; that nearly everybody would either like to go to Congress himself, or has some friend or idol or instrument whom he would like to send there? The power of enacting laws affecting the great variety of interests which lie within the Federal jurisdiction is, in short, and will always be, an object of the eagerest ambition to every sect, class, and clique in the community. Take the tariff alone—to be able to manipulate it is something for which thousands of men would give months of labor and thousands of dollars. Do what you will, you can never create any field of activity possessing half the attractions for the great majority of the modern world which politics possesses. It is not only "the noblest of human pursuits," as Dr. Arnold called it, but the most seductive, and it becomes more so as the means of communication and of interchanging ideas become greater, and as the interests of society grow more complex. The number of people who care nothing about it is small everywhere—nowhere so small as here—and, indeed, the popular interest in it can only be killed by slavery or ignorance. There will, therefore, always be twice as many persons anxious "to run the machine" as can get anywhere near



it, and we believe their number would be greatly increased if the office-holders and office-seekers were driven out of it, and confined to their desks. Their presence now repels people, because the work of electioneering is looked on as in some sort their professional duty, and their appearance in the field produces much the same effect on the political energy of private citizens that a large standing army does on their military spirit. Wherever there is a large body of soldiers kept up to do the fighting, the volunteers are sure to be few and languid.

But, it may be asked, who would do the drudgery and "the dirty work?" It would be done in part by self-denying, patriotic men and in part by paid rascals. A candidate, then, not being able to secure electioneering services by promises of offices, would have to be a man of more mark, and possessing a stronger hold on the sympathy or admiration of the constituency, than is now common. Having to rely largely on the efforts of volunteers, he would have to have something about his character or history to rouse the enthusiasm of volunteers, and nominating conventions would recognize this very speedily. They would be by no means ready to put up, as they now do so often, poor hacks or blatherskites, whom everybody suspects or despises, because they would know there would be no use in asking people to give money or work for them. But having put up a good man, who believes that they would have any difficulty in getting as much money and as many canvassers as he might need? Does anybody suppose that David A. Wells or George W. Curtis or Horace Greeley, to mention three well-known men, would be defeated for want of help in their canvass, even if they had not a single office in their gift? Why, even Banks and Butler would have friends, even if they had nothing to offer.

Then, as regards "the dirty work," we are not so enthusiastic or simple-minded as to suppose that there will not always be plenty of it to be done under any régime; but we do hope to see the day when it will be done, as we have said, by hired knaves—that is, when "managers," having dirty work to be done, will send for loafers and vagabonds, and tell them that if they will do this or that job they shall have—not the privilege of disgracing the country, and cheating the people, by a place in the Custom-house or Post-office or Treasury department—but so much in dollars and cents. If anybody maintains that this kind of labor cannot be procured in this way now, or that the time is near at hand when it will not be procurable in this way, he is welcome to his opinion; but he will not get us to argue with him.

And, as regards the "manager," or "man inside politics," supposing our reform carried out, should we need him? Of course we should. Nobody expects to see him disappear from the scene. All that we ask is to improve him. We want to mend his morals and his manners; to give him a little better education, a little stronger sense of moral obligation, a little more confidence in the existence of a public conscience. As long as party government lasts, his services can never be dispensed with. But it is the easiest thing in the world to make him more useful and more respectable. We have only to infuse more science into the game of which he is so fond. Instead of having him pass his time "taking care of his friends," satisfying "the claims" of a horde of poor adventurers and drunkards and broken-down people, and finding out how he can best turn them to account, or practising the art of writing and speaking sonorous and cloudy balderdash, we would fain teach him to study the real hopes and fears, needs and wishes, of the community, to appeal to what was highest instead of what was lowest in the popular character, and, if he did play on people's weaknesses, to play at least on their nobler ones. In short, we are content to have him really adroit and skilful, and even cunning; but a transparent, and weak-minded, and easily-detected cheat and humbug, such as he is now, we cannot bear with any longer. When he is going to "make capital," we insist on his doing it in some retired place or in the night, and not in open daylight, under the very noses of those he wishes to impose on; and if, like Macaulay's Brahmin, he insists on sacrificing mangy dogs to his gods, he must not have the impudence to ask the bystanders to believe that the victims are good sound sheep.

To hold, in short, that the present system is necessary to popular government or party government, is to hold that popular government is

a failure. Nobody believes in his heart that any government can last under such a system long; there are stump orators who say they believe it, but what they really mean is that they believe it will last their time, and that it serves their purposes very well. What is worst is, that if you prove the present mode of office-filling and office-holding to be necessary to democracy, you force every man who believes that democracy, like every other political arrangement, is but a means to an end, and that end the establishment on earth of truth and justice, to pray that it may speedily perish, and make way for the better things which all who have faith in God's goodness must surely look for. That the Almighty intended the crown and consummation of man's strivings as a social being to be a system administered in its details by liars, thieves, shysters, ignoramuses, drunkards, adventurers, and "fast" men, is a doctrine which, we are glad to say, we are not "educated up" to, and any party paper which is engaged in the work will, we promise it, find it a thankless task.

### THE PAPAL QUESTION.

Nobody who remembers the interest or even anxiety with which the meeting of the Ecumenical Council at Rome was anticipated by the Christian world could have believed that the Council would be broken up, and the Pope be declared infallible, and deprived of his temporal sovereignty, and all within a year, without attracting much notice either from the faithful or the heretics. Indeed, there could hardly be a more striking illustration of the extent to which politics have been "secularized" in Europe than the small amount of attention which even the Catholic powers are according to the Holy Father and his misfortunes. Gambetta, Jules Favre, and Bismarck occupy men's thoughts almost to the complete exclusion of the Vicar of Jesus Christ, and there has probably been no time in the history of the Papacy when people showed so little care for what the Pope said, as the very moment when it has been authoritatively declared impossible for him to err in his sayings.

Considering, too, the long fight there was over the great dogma, it is almost marvellous to see how little pains the public has taken to follow its fortunes since its promulgation. And yet, the proceedings which have followed this promulgation have been in many respects as curious as those which preceded it. There were said to be in the Council, in the earlier stages of the discussion, about eighty bishops hostile to the dogma, but, before the close, the opposition had dwindled down to about forty-five. As soon as the adoption of the dogma seemed certain, the question, What would the minority do? became one of the greatest interest, because on this the effect of the performance on the Catholic Church would in a great measure depend. Those who were deeply impressed by the high character of the leaders of the minority, including such men as Schwarzenberg, Rauscher, Ketteler, Clifford, Hefele, Strossmayer, and Kenrick, felt certain that they would hold out, and that we should have an ecclesiastical convulsion of the first magnitude. Those, on the other hand, who were deeply impressed with the church discipline, and the enormous weight with which it weighs on individual minds, were satisfied that they would give way and eat humble-pie. Neither have proved quite right. Eighteen German bishops, comprising some of the most important members of the minority, have met at Fulda, and issued a pastoral, warning the faithful that the decisions of the Council are "divinely revealed truths," and must be accepted as such by those who "wish to be and remain true members of the One Holy and Apostolic Church." The majority of the minority, however, have thus far given no sign; and, while it is certain that some of them will submit, it is believed that the others will not.

Those who have made their submission have drawn down on themselves a castigation at the hand of Lord Acton, an English Catholic peer, better known as Sir John Acton, who, much to the chagrin of the Papal authorities, took up his abode at Rome during the sitting of the Council, and made his rooms the headquarters of the opposition. He was in reality a sort of informal envoy of the various Catholic powers, as well as of his own Government, and made reports to them from time to time of what was going on, but he was, we believe, obliged to for-

ward them to their destination by hand, owing to the peculiar views of the Papal police as to the sanctity of private correspondence, and for a similar reason had to keep his private papers elsewhere than in his own rooms. He was, however, a man of too much weight to be summarily packed off, and so he stayed there, supporting and animating the bolder, and encouraging the more timid, members of the minority. Finding himself now abandoned by a large number of his clerical allies, he has done a very cruel thing in writing a letter, addressed to a German bishop, in which he says that the Catholic world honors in the minority of the fathers of the Council the true witnesses of its belief; but complains that now when the hour of "critical decision" has come, "the wished-for direction" has disappeared—that is, the bishops give no sign, or else recant. He, therefore, by way of showing what a "disturbing contrast" there is between their language at the Council and their conduct now, cites a number of extracts from their letters and speeches during the discussion of the dogma, and notably nineteen expressions of opinions of bishops, taken from the "Synopsis Observationum," drawn up by the official reporter. These are, to the carnal eye, horribly damaging. Any man who talked this way last spring, and now adopts the dogma, must be held by men of the world to be either knave or fool. There is, however, another way of looking at them which we venture to say will be generally adopted in the Church, and the success and antiquity of which afford a remarkable illustration of the skill of the various contrivances by which she protects herself against rebellion and schism. The stronger the ground bishops took against the dogma, the more meritorious, it will be said, is now their submission. A pious man, far from being discouraged by the strength and absoluteness of his opposition to the dogma and to the competency of the Council to adopt it, will rejoice over it as making his retraction all the more striking as an act of faith; so far from blushing to own himself an imbecile, he will jump eagerly at the chance if, by so doing, he can promote the honor and glory of his Holy Mother. This is the ecclesiastical way of approaching the difficulty, and it is one with which, it must be confessed, it will prove somewhat difficult for the lay mind, and even for the Catholic lay mind, to deal.

Lord Acton has, however, been met by the Bishop of Mentz, and by Bishop Ketteler, in a way that is purely mundane, and reminds one of the conflicts which so often rage between the heroes of the caucus and convention. The Bishop of Mentz, in the first place, accuses him of garbling his extracts, and with incorrectly reporting some of the proceedings; and then comes Bishop Ketteler, and accuses him of telling "an untruth in an unexampled manner;" he says his letter is "cramped with untruths," and he more than hints that his lordship had something to do with the composition of "the lying stories of the *Allgemeine Zeitung*." Considering the nature of the occasion which has called these charges and counter-charges forth, and the elevation of the atmosphere in which the disputants are supposed to be moving, even a "politician" might read them with amazement.

The course of events at Rome is not less surprising. The Pope, two years ago, included by the "Syllabus" attached to his Encyclical Letter all doubts about the legitimacy of, or attacks on, his temporal sovereignty among the offences for which a man exposed himself to everlasting damnation. The reason for attaching this tremendous sanction, however, to the arrangement by which the Pope reigned at Rome was a purely utilitarian one, and made it very difficult, if not impossible, for most laymen to see anything sacred in his sovereignty. It would not do, of course, to say that Christ had made Rome the seat of the government of his Church, because, had he done so, he would undoubtedly have provided some better means for its protection than the arm of flesh, as embodied in Zouaves or gendarmes. So it was said that it was necessary for the free exercise of the Pope's spiritual sovereignty that he should be the temporal monarch of the spot on which he received the faithful. This, of course, put the matter on very low ground, and left it open to the Italians to say, as they have already said, that they would provide means of securing his independence just as effectual and far less costly and troublesome. So they marched into Rome, and now propose to declare him and his suite and his aides and his palace inviolable, and to leave him the patrimony of St. Peter in Rome, and to take measures with the other Catholic powers to provide

him with an ample revenue. If he says that he cannot be free in this way, they reply, "Try it; we offer you better guarantees than you have ever possessed." He refuses to listen to them, however, and has shut himself up in the Vatican, and persists in treating himself, and praying for himself, and having himself prayed for, as a prisoner—though nothing would please the Italian authorities better than to have him rove about. They have, however, taken full possession of Rome, abolished the laws of mortmain, and removed one of the grand scandals of Christendom—the shame and reproach of the Papacy—by admitting the Jews to equal civil rights. The "Ghetto" passes at last into the lumber-room in which so many mediæval horrors are stored. These unfortunate men were, under the law of the Vicar of Jesus Christ, incapable of testifying in the courts; could not possess real property; could neither attend schools nor colleges; and, besides a number of other restrictions, were forced to live in an unwholesome den, apart from all the rest of the population. So deep a stain on the Christian name has at last been removed; and when we find that this great act of justice and humanity had to be performed at last by the royal libertine who occupies the Italian throne, in the teeth of surly and cursing bishops, we can hardly wonder that the educated classes of the kingdom are, almost to a man, scoffing materialists.

### A NEW POLITICAL PROBLEM.

The constitution of Michigan confers the electoral franchise only upon white male citizens of the requisite age, and upon some exceptional Indians. At the late election, an amendment, striking out the word "white," was submitted to the voters, and adopted by a small majority. While the fate of it was still doubtful, certain Republican journals pronounced its defeat to be of no practical importance, and declared that a different result would have had a moral value merely. The position, however, in which this would have left Michigan—the actual position of several other Northern and Western States, as well as of Maryland and Kentucky—involves a matter of grave moment to each of them, and suggests a new problem of constitutional construction whose solution may be equally undesired and unexpected. We purpose to state the problem, and to make a few suggestions as to its solution.

Soon after the adoption of the Thirteenth Amendment, it was discovered that an enormous political inequality among the various commonwealths was produced by the change. The slaves having become freemen, the number of representatives in Congress must be based upon the total population of each State; and, as the voting right was generally withheld from the blacks, the whites had thereby obtained an accession of political power, and this was notably and most inequitably the case in the former slave States. The natural and direct remedy would have been another alteration of the Constitution, extending the franchise to the colored man, but fears were entertained that the people had not yet quite come up to this point. The attack was therefore made upon the clause of the Constitution which regulates the apportionment of representatives in Congress. The result, as is well known, was the Fourteenth Amendment, which declares, among other things, that, "where the right to vote at any election for the choice of . . . representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any male inhabitants of such State, being twenty-one years of age and citizens of the United States, or in any way abridged . . . the basis of representation therein shall be reduced" in a given proportion. There is no doubt as to the meaning and intention of this article. It was aimed directly at the States, and contemplates State action exclusively. Its purpose was to force them severally to confer the vote upon the negro, by holding up a diminution of representation and a consequent loss of power and influence in the National Government, as a penalty in case of refusal. If a State which had admitted the white man alone to the ballot-box should neglect to change its fundamental law and its legislation based thereon, so as equally to admit the colored man, Congress must apply the political penalty, and impose the punishment by proportionately lessening the number of its representatives. Although addressed to the whole country, the new rule was to be felt most pow-



erfully at the South. For this reason, the rebellious States, upon the re-establishment of their normal relations with the nation and its government, adopted constitutions in which no distinction is made between whites and blacks in respect to the right of voting. Subsequently the Fifteenth Amendment was proposed and ratified. It should be carefully noticed that this last utterance of the people's will does not in affirmative terms declare who shall be voters, but prohibits the States from abridging the right of citizens to vote on account of race or color.

The problem we suggest is, whether the latter article repeals or modifies the former one by implication? In other words, whether a State which, by its own organic law and its legislation, persists in granting the electoral franchise to its white male citizens alone, may still avoid the penalty prescribed by the Fourteenth Amendment, and be admitted to a full representation in Congress? The solution of this problem is not altogether free from doubt, but we think that the reasons for a negative answer to the question greatly predominate. At all events, the subject is one of great interest, and should engage the attention of Congress in the apportionment which they will soon make.

In the first place, a repeal by implication is not favored, and is never allowed unless the repugnancy between the two enactments is so complete that the former cannot stand beside the latter. There is plainly no such repugnancy here. All the provisions of both amendments may be fully carried out without the least interference. But if this suggestion appears to be too technical, there is another, which goes to the bottom of the matter. Taking all the clauses together, the intention seems to be plain. The Fourteenth Amendment addresses and commands the States; the denial or abridging of the right to vote spoken of is to be an act of the States; and the penalty inflicted is a consequence of that act. The truth of this proposition is self-evident. The Fifteenth Amendment does not profess to sweep away these former provisions, nor does it, by virtue of its adoption, repeal or abrogate any State legislation opposed to it. What, then, was its object? The answer is plain when we consider its peculiar language. Its design was simply to permit legislation of Congress which will admit the colored man actually to the ballot-box, notwithstanding the bar which the States may have placed in his way. The Fourteenth Amendment did not accomplish this result directly, for a State might prefer to resist, and to suffer the deprivation of political power. But now Congress is authorized to pass laws guarding the right of the negro to vote, and opening his way to the polls, by personally punishing State officers and others who interfere, and by taking an actual control of the voting process. It would seem to be plain, therefore, that the Fifteenth Amendment neither repeals the Fourteenth nor abrogates the local constitutions and laws. On the contrary, reading both articles together, we find that two penalties instead of one are now affixed to the contumacy of a State—diminution of its representation in Congress, and liability of its officers and citizens to personal punishment and loss of its absolute control over elections held within its territory.

If it should be urged that, since the ratification of the Fifteenth Amendment, the right of no person to vote is denied or abridged on account of race or color, because all may vote irrespective of race or color, the ready answer is, that this result is, if true, not brought about by State action, but by national action, and the restrictive clauses of the Fourteenth Amendment are aimed at this very absence of State action. But the proposition contained in the objection we are now considering is not true. We repeat, the last great change in the organic law does not *ipso facto* repeal or abrogate any portions of State constitutions or legislation; it only clothes Congress with authority to relieve negroes from the restraints of these constitutions and that legislation. The State, as far as it can by the utterance of its own will, prohibits negroes from the exercise of the electoral franchise, and thus "denies" the right. Were it not for the acts of Congress carrying the Fifteenth Amendment into operation, this attempt would be successful. But the "abridgment" of the right is something more than mere words. The State, in the most formal manner, says that the colored man shall not vote; he must therefore appeal to the national laws to protect him, and perhaps call in the aid of the national courts and executive

officers in order to force his way to the polls. This very fact, that Congress must pass a statute to avoid the constitutional provisions and special legislation of a given commonwealth, shows that the free voting right is actually "abridged" in such a community. Other instances of constitutional restrictions confirm these positions. Thus, the States are prohibited from passing laws impairing the obligation of contracts, and are forbidden to deprive any person of life, liberty, or property, without due process of law. These general restraints do not of themselves repeal and abrogate any State statutes which are obnoxious to their mandates; they only furnish a rule of judgment to the courts, and enable the national judiciary to grant final relief to a suitor; the statute still remains as an expression of the local legislative will. The conclusion which we reach is that, if a State by its constitution and laws confers the electoral franchise upon white male citizens alone, it does deny and abridge the right of colored citizens to vote, and is thereby liable to have its representation in Congress diminished, notwithstanding the means of protection now extended to the negro by the collective authority of the nation.

If these views are correct, and we see no escape from them; if it be true that the penalty of the Fourteenth Amendment is not uplifted by the negative clauses of the Fifteenth; then it is plain that the failure of Michigan or of several other Northern and Western States to remodel their constitutions and laws is a matter of the greatest practical importance to them, and has far more than a mere moral influence and value. In fact, it subjects them all to a loss of representation in the new apportionment about to be made on the basis of the recent census. The effect will doubtless be more serious in Maryland and Kentucky, where the negroes form a considerable portion of the population, but it will be perceptible at least in other States. We will add that New York has not escaped from the unfavorable consequences by means of the statute passed by its last legislature, because, as its constitution still limits the right of the negro citizens to vote, that statute is, so far as the local constitution is concerned, utterly null and void. In conclusion, we would commend this subject to the careful attention of the Congress which shall reorganize the House and apportion the representatives. Perhaps some of the Southern States may not feel unwilling to apply to their Northern brethren the same stringent rule which was once forced upon themselves.

#### AFFAIRS AT THE UNIVERSITY OF MICHIGAN.

ANN ARBOR, Nov. 28, 1870.

SOME of us who are, as Roger Ascham says, "lookers-on in this cockpit of learning," please ourselves with the fancy that there may be here two or three things working themselves out of which your readers would like to have just now a brief account. We try very hard not to be deluded by too fond an estimate of our importance in the system of American colleges, or of the value which Eastern educators will be inclined to attach to our experiments at making a university. Indeed, we are often fearfully depressed in spirit by recollecting that New England and New York look to Michigan and Illinois for corn and pork rather than for ideas. We chafe and mortify ourselves, also, under the necessity, from which nothing less than a miracle or a trans-continental canal can rescue us, of being forever classed in Dr. Holmes's dreadful category of "fresh-water colleges." Besides, the moment we try to forget this, and to speak of ourselves as though we seemed to deserve some attention at Cambridge or New Haven or New York, at once some of you people that way are pretty sure to intimate to us that your experience coincides with that of Serjeant Davy, who said, very neatly, that "the farther he went to the West, the more was he convinced that the Wise Men came from the East." Of course, we are greatly edified by *your* modesty in all this; and we naturally bow our heads.

But, not to stay any longer on this perilous subject of sectional comparisons, I hasten to say a few words on a subject far more agreeable, though possibly not any less perilous—the ladies. As you must be already aware, they have come. "The Ever-Feminine draweth on," said Goethe. There is a tincture of futurity in his phrase, which, so far as our university is concerned, must now give way before the heroic force of the realized present. The "Ever-Feminine" taketh up its abode among us. The most numerous masculine community of students in America has been exposed, since last January, to all the horrible risks of being present

at lectures and recitations with women, and that, too, in studies which an old English poet took pains to describe as "unmeet for women's imbecilities." I venture to say that no revolution in affairs ever crept in so noiselessly, or ever wrought its effects with so much peace, as this has done with us. Had a great crowd of strong-brained ladies rushed in upon us, the moment the doors were thrown open, it might have been different. As it was, the new régime was represented for several months by but one young lady, who most fortunately was well fitted, both by scholarship and by manners, to conciliate for the new order of things the approbation even of reluctant minds. True, she was more than a nine days' wonder here. Not even Joyce Heth, or the Mermaid, I fancy, was ever stared at more vehemently than was our first lady sophomore for a while. But she bore it admirably, kept quietly about her work, made capital recitations whenever called upon, and enabled the most obdurate of us in a few months to conquer our prejudices. So the battle was won for her whole sex. Accordingly, this fall, when along with a thousand young men there appeared on the ground about thirty young women, who distributed themselves among the three departments of law, medicine, and literature, the "fresh-water" of our inland college life was scarcely disturbed by a ripple. The whole affair, thus far, is a triumphant exemplification of the merits of the *laissez-faire* principle in the solution of a vexed and vexing educational problem.

It must be confessed that our university has peculiarities which have rendered it comparatively easy for us to engraft the epicene system upon the former plan. Perhaps the foremost of these peculiarities is our freedom from the institution of dormitories and from the types of habit and sentiment among students which that institution breeds. For some years back, this university has positively declined either to keep a boarding-house or to take in washing, or even to have unfurnished apartments to let; and, consequently, all its members, finding their homes among the families of our citizens, are kept in constant contact with the normal life of civilized communities of men and women. Furthermore, the university is not an establishment sundered from the rest of the world by any sort of gulf, local or moral. It stands in the midst of this pretty town, on a square *campus* of forty acres, surrounded on all sides by private residences; and through its pleasant walks, as through a city park, ladies and gentlemen and even children are frequently strolling. The sight of feminine apparel, therefore, among our buildings, in the museum, in the library, and even in the lecture-rooms, has long been a familiar one. In fact, the university, by position and custom, has so perfectly blended with the general community and is, indeed, so indistinguishable from it, that the presence of ladies in the former seems quite as natural as is their presence in the latter.

You do not wish me now to turn prophet, and tell you what will be the results of the new system ten years hence. Rather let me keep within the limits of what I know, and try to testify concerning the effects, whatever they may be, which are already visible after this trial of the plan of coeducation for so short a time.

First, concerning Conduct.

In the medical department, the ladies are entirely separated from the gentlemen in lectures, at the clinical illustrations, and in the dissecting rooms; and after repeated enquiry, both among students and professors, I learn that all is and has been quiet on that usually rather stormy Potomac. Not one uncivil or disobliging act has been committed by the male "medics" towards the dames and damsels who are studying in the same building to be their professional rivals. And let no one suppose that this abstinence on the part of our young men is owing to any particular mildness in them, or that our "medics" are not as other "medics" are. It is attributable, doubtless, to the sincere wish of the professors in that department to give the ladies a fair chance, and especially to the judicious arrangements which they made at the outset for accommodating the newcomers.

In the other departments, namely, of law and literature, the ladies attend all university exercises with the gentlemen. Our young men are a loud-lunged, a hearty, and a jubilant set of fellows; and, so far as I can see, they are in no respect subdued by the presence of their fair fellow-students. They still indulge, on occasion, about as usual in cat-calls and whistling and the rollicking horse-play so natural to a huge crowd of masculine persons free from care, in good health, with a tyrannous perception of the ludicrous, and fond of lingering on the foggy confines of big-boyishness. At the same time, in anything which directly concerns the ladies—their convenience in sitting, or in passing in and out of lectures and recitations, there is a very perceptible and never-failing chiv-

alry; and I am sure that were a rude act to be done to any one of these gentle disciples it would be swiftly avenged, in the most direful manner, by the whole body of the students. We think that in all this we already see an influence that is worth having, bearing steadily in the direction of raising and refining the tone of manliness, without in the least weakening it. There is still among us, undoubtedly, a generous supply of boorishness; but it shows some cheering symptoms of intending to try to get up its first blush.

But how about Scholarship?

Still trying to be historical rather than prophetic, I have only to say at present that on all hands comes in testimony from our professors that on these grounds better recitations have never been made, and in the severest studies, than have been made by the ladies. So far are they from injuring scholarship here, that by their earnestness and fidelity they are, if anything, stimulating it; and their presence is beginning to give to all utterances in the class-rooms just that delicacy, that civil, chaste, and humane tone, which the recognition of women among the readers of books has been giving to English literature during the last hundred years.

Upon the whole, though very few persons in our faculties desired the arrival of the girls among us in this capacity; though, in fact, most of the professors accepted the situation as they would the inevitable; yet I am unable to hear of one of them who now regrets it. We do not affirm that the experiment has yet proceeded far enough to be entirely conclusive. For ourselves, we shall still wait and watch—but no longer with any fear. Meantime, the general opinion upon the present state of the case is very fairly conveyed in the verdict which I heard last night from the lips of one of our most thoughtful and most conservative men: "The coming of the women among us," said he, "is not only a success, but a success to a degree wholly unexpected." Unless, therefore, some now unseen flaw shall appear in our machinery, it certainly threatens to conduct the idea of coeducation to a success that will be contagious; and should this be the case, I do not see what power can avert from the generations of men the calamity hinted at in Young's most ungallant lines:

"Is't not enough plagues, wars, and famines rise  
To lash our crimes, but must our wives be wise?"

I had intended in this letter to refer to several other topics. But, as you see, in trying to tell you about the ladies, I have not succeeded in being brief—thus illustrating once more the sad truth that when one gets entangled with these irrepressible members of the human family, there is no safe guess as to when one will get clear again.

M. C. T.

## Correspondence.

OLD YALE ON "THE FIRST ALUMNUS"—A CARD FROM  
THE REV. MR. PICKERING.

TO THE EDITOR OF THE NATION:

SIR: Mr. Pickering, of Squashville, presents his compliments to "The First Alumnus" in the *Nation*, and requests that gentleman to be a little more careful in his representations about what people have said, and not to trouble himself or the public with the unimportant and irrelevant question whether Mr. P. is or is not a "former editor of the *Independent*." If everybody who thinks that the hebdomadal so-named is managed on the principle commended by Mr. W. W. Phelps as "an absolute condition of earthly success"—the principle of "catering to human weakness and infirmity"—must be incontinently set down as "a former editor," the catalogue of former editors will become inconveniently voluminous.

That Mr. Pickering is "a clerical member of the corporation" can hardly be denied, for that fact was openly proclaimed by so eminent an authority as Mr. Phelps, in his speech at the commencement dinner, and is as openly professed on the first page of the letter from Squashville and the last. That he is a "polemical" member may, perhaps, be inferred without any blamable temerity from the fact that, when the venerable body of which he is an unworthy member was publicly insulted by men professing to represent "Young Yale," he volunteered to repel the insult. But the attempt to divert attention from the question by guessing which one of the ten clerical fellows accepted the insult for the rest, and replied to it, is as irrelevant and (not to put too fine a point upon it) as uncivil as if some one should attempt to guess out and publish the personality of "The First Alumnus" and the second.

The intimation that the clerical fellows of Yale College, in declining



to abdicate their trust and to put the institution afloat without any shadow of security for its continuing to be a Protestant Christian institution, occupy a position like that of the Tract Society in Nassau Street a few years ago when it refused to publish a word against the vital godlikeness of one man's assuming to own another man's wife and selling her to the highest bidder—is too preposterous to be refuted. Has anybody pretended that this demand for the subversion of the entire constitution of Yale College is set up in the interest of Christian morality? Is it pretended by "The First Alumnus"—or even by the second—that the ancient charter, or the administration under it, is anti-Christian and offensive to the moral sense?

The strictures of the *Evening Post* not having come under Mr. Pickering's notice, he cannot reply to them; but he may say that he has not made Mr. Phelps responsible for either of the two writers in the *Nation*, nor "The First Alumnus" for the second. He had to do with a demand for what he now finds denominated "a reform at Yale College"—a demand made in the name of "Young Yale." He found "Young Yale" represented, and its demands articulated, first by Mr. Phelps, then by "The First Alumnus," professing to sustain Mr. Phelps and to elucidate his meaning; then by another Alumnus, professing to agree with both, and to set forth the ideas of "Young Yale" still more explicitly. If Mr. Phelps was misrepresented by "The First Alumnus," or if they both were misrepresented by "the otherst governor," Mr. Pickering is not responsible for the misrepresentation. He is not aware that he made any confusion in his quotations, or in any instance imputed to any one of the three what had been said by any other. He was dealing with "Young Yale," as represented by all the three, among whom the chief difference was that the second was on one point a little more explicit than the first, and the third a great deal more explicit than both.

Mr. Pickering is sorry to find his use of the word "fool" entirely (if he should say *innocently*, he might give additional offence) misunderstood by "The First Alumnus." If, in alluding to the Bible proverb, "Answer a fool according to his folly, lest he be wise in his own conceit," he called these two writers in the *Nation* "fools," he had already called himself a fool in quoting from the Apostle Paul, "Am I become a fool in glorying?" Having been betrayed into the folly of glorying in the pre-eminence of his own profession, he excuses himself by adverting to the equal folly of the assailants of his profession. If "The First Alumnus" had not (as he now says he had not) assailed the clerical profession as inferior in talent and culture to other professions, he knows who had done so in the name of "Young Yale;" and he knows also that the word "fool" was not used by Mr. Pickering as characterizing anything else than the assault on the intellectual character and standing of Christian ministers and the defence of the clerical profession against that assault. He says, "President Woolsey proposed a change in the charter," and thereupon asks, "Is he also a fool?" He seems to forget that President W. is himself a Christian minister—one of the profession which "Young Yale" despises and defames. He says, "Mr. Pickering tells us we are 'fools' for not allowing 'the venerable institution to remain where the founders placed it.'" Mr. Pickering takes the liberty of saying that in this statement "The First Alumnus" "greatly misrepresents" the matter. Either the professor of logic or the professor of ethics ought to be censured for permitting any alumnus to graduate who can make so gross a misrepresentation.

Mr. Pickering requests that all persons who find themselves called to discuss his letter will remember *what the question is* which was raised by Mr. Phelps in the name of "Young Yale," and agitated by "The First Alumnus" and the second, both professing to represent the same "Young Yale." The question is not concerning that change of the character of Yale College which was suggested by President Woolsey some years ago, and was equivocally reported on by "the Committee of 1869;" it relates to a much more important change which President W. never suggested. It is not whether the six State senators in the corporation shall be superseded by as many men chosen in some other way. That question, extremely difficult and delicate in itself, has been made ten times more difficult by the "worldly wisdom" of "Young Yale," so much wiser than the "saintliness" of Old Yale. Men of only ordinary sagacity would have said to each other, "Let us take care not to alarm the ministers or the churches till we shall have got rid of 'the Hon. Mr. Domuch' and his colleagues." But the more than ordinary sagacity of "Young Yale," instead of waiting for the solution of the question raised by President Woolsey and reported on by the Committee of the Alumni, has raised a very different question, and has thrown the original question into the shade. Mr. Pickering takes no great interest in the former question, and, therefore, declined to consider it. The one subject of his letter is that other and graver question thrown

into the arena by the "worldly wisdom" of Mr. Phelps and the two writers in the *Nation*, namely, the question about a plan "to abolish the existing corporation and to place the legislative and appointing power of the university, and the custody of its endowments, in the hands of a board or council chosen by the annual mass-meeting of the Alumni."

Mr. Pickering can see no good reason why the gentlemen who propose this plan should not frankly discuss the question of its desirableness and its feasibility. Let them remember that the question which they have raised is not whether clergymen outside of Connecticut—in New York, or Cincinnati, or San Francisco—shall be eligible as fellows, nor whether laymen shall be eligible, but whether the absolute control of the university shall be given over to mass-meetings of graduates, electing at their unlimited discretion the members of a new corporation. Thus far, the self-constituted representatives of "Young Yale" have not "catered" very adroitly to the "human weakness and infirmity" of the ten clerical fellows, but Mr. Pickering presumes that the "worldly wisdom" of those who contrived the plan has not forgotten the necessity of commending it to the judgment of practical men by showing what will be the consequences of adopting it and of circumventing in some way the old ministers, without whose consent it cannot be adopted.

#### OLD YALE TO THE "FIRST ALUMNUS."

SIR: As you have left your readers in ignorance of your name, and I am, therefore, unable to address you privately, it will not, I presume, be deemed improper if I offer, in a more public way, a few suggestions in regard to your article in the *Nation* of Nov. 24 on the Yale College Corporation. I have no desire or design to take part in the controversy which has been going on of late in that paper. There are enough engaged in it already without any assistance on my part, and, so far as my own opinion is concerned, I do not look upon any of the New York papers, even the best, as the place most suitable for such a discussion. I have no quarrel with you, however, if you think otherwise on this last mentioned point, and I have no wish to have any quarrel in regard to the great subject itself.

But I trust you will pardon me if, in all friendliness, I say that it seems to me unfortunate—whichever side in this matter may be right—that those who favor a change in the corporation should not inform themselves more accurately respecting the facts of the case before they write for the papers. Misstatements of facts are an injury to the cause which a man advocates. Where they are such misstatements as a little investigation would lead one to avoid, they inevitably will appear to interested advocates on the opposite side to be intentional perversions of the truth, and to all persons who are cognizant of the facts they will seem unpardonable because they might be so easily avoided. The writers on your side have fallen into such misstatements: as, for example, one of them, who has even reprinted his newspaper article in a pamphlet, asks why, if the corporation *must* consist of clergymen, eminent clergymen are not appointed, and then gives as examples Dr. Bushnell and others, including the name of one gentleman who had been a member of the corporation for several years! That writer had not even examined the college catalogue enough to know who the members of the corporation were, and, of course, everybody laughed, and a considerable portion of his argument vanished in the ridicule.

I beg leave to call your attention to some points in your article of yesterday.

I. You say in that article (*Nation*, Nov. 24), "Cannot the present corporation see why Mr. Sheffield, Mr. Peabody, Mr. Street, and Mr. Phelps placed their donations beyond its control?" This question might be a somewhat weighty one if it were founded on fact, but, unfortunately for your argument, it is not thus founded. The donations of Mr. Street and Mr. Sheffield—the former the largest in amount ever received by the college, and the latter (considering its results) perhaps the most valuable one ever made—were placed by the donors altogether in the hands of "the present corporation." These gentlemen had been residents of New Haven for many years, and had had every opportunity for knowing the management of the college, and yet they did not hesitate to commit their hundreds of thousands of dollars to the existing board. The weight of their testimony—which is, manifestly, even to your own mind, very great—is all on the side of the corporation, and not, as you seem to suppose, against it. To cite their cases, therefore, in your favor, must strike your adversaries as bold beyond measure, and must impress all others who know the facts as indicating on your part an ignorance of those facts which a person engaged in the controversy ought to have removed by informing himself

accurately. The case of Mr. Peabody, also, is not as you put it. Mr. Peabody had no unwillingness to place his funds in the hands of the corporation. He had never raised the question of their competency; but, as I have been informed by one who was active in connection with that matter or wholly acquainted with it, he was persuaded to adopt the course he did by other persons, who, for wise and sound reasons, wished to have the direction of the building of his museum. Everything which he did under their influence was done in entire harmony with the feeling of the corporation, so far as I have ever heard, and, except for those influences, he would have given to the corporation itself. In regard to the case of Mr. Phelps, I am not fully informed, but, if I mistake not, his will gives the property to the corporation after the death of his son, only allowing his son the right to designate the particular object in the college to which it shall be devoted. As for the reason why Mr. Phelps left the principal under the control of his son during his lifetime, I do not know what it was. I think there were probably other reasons existing in the case which induced him to take the course he did—one or two of which might be suggested were this the suitable place to present them. But even admitting that he distrusted the capacity of the corporation to manage funds, his case is one which will have little weight with your opponents, or with any who are not previously prejudiced in favor of your side, because they will say that he was, undoubtedly and naturally, influenced by his son, who is a publicly pronounced opposer of the existing corporation. The fact is, my dear sir, that, whatever distrust of the fitness of the corporation for their work may exist in your mind, or in the minds of a few or a great many others, there has been none, thus far, in the minds of the great givers. Men who have given four or six times as much as Mr. Phelps did, and who have seen the college for years, and known its trustees, have had no hesitation about the safety of their gifts, or the wisdom with which they would be cared for, in case those gifts were left in the hands of the clerical gentlemen of whom you speak. Since this controversy began, and since these expressions of distrust first found utterance, more has been donated to the corporation for the college than ever before in ten times the number of years. Surely, then, it is unwise for your own side in the argument, and it will be regarded by all unprejudiced persons as unfair to the other side, if you bring forward such statements as those involved in the question to which I have now called your attention.

II. You say, again, in your article, "The Committee of 1869 favor the change." If you will examine their report, you will confess, I think, the incorrectness of this statement. Their language is, "As to the more important question whether the proposed change is desirable, the committee express no opinion, for the reason that they are not agreed in opinion. They must leave it, therefore, for the graduates to decide whether it is advisable to recommend a change, concerning the advantages of which the committee hold a divided opinion." They add: "The committee are unanimous in finding no reason to recommend this or any change for any special defect in the government or administration of the college. *There is no reason to believe that the funds of the institution would have been more carefully guarded or faithfully expended, or that the discipline and instruction of the college would have been more satisfactorily administered, under any different constitution of its corporation.*" In the light of this plain language, and of what is well known as to the opinions of all the members of the committee, your opponents—not to say all who are not partisans with you—will say, The man who wrote that article has not even read the committee's report, and is in profound ignorance of their views. Such mistakes—so easily avoided—certainly injure the cause they are intended to aid.

III. You say further: "We have reason to believe that a considerable portion of the faculty, not under the control of the corporation, would welcome the change." If you mean by this statement to intimate that there is a portion of the faculty who are not appointed by and responsible to the corporation, you labor under a serious mistake. All the faculties of the several departments of the college are alike under the corporation. Every member of them receives his office from the corporation, and is answerable to that body for the faithful discharge of his duties. If, on the other hand, you mean to intimate that a portion of the faculty is so far under the personal influence of the corporation as to be properly said to be under its control, while another portion is not, you are equally in error. The corporation have not tried to influence, much less to control, anybody in this matter. There are no members of the faculty who, in either sense, are different from the rest. They are all alike dependent on the corporation for their appointment to office, and all alike free to hold what-

ever opinions on such a subject they may choose to hold. I can hardly understand, my dear sir, how a graduate of the college can have fallen into such a fundamental error as is evidenced by the language which I have quoted from your article. Your opponents will use these mistakes most assuredly to your disadvantage.

IV. You ask, further, whether the corporation cannot see "that either there will be no central, harmonious power to govern the university if this state of things continues, or that the Scientific School must be made to overshadow the Academic Department?" By "this state of things" you apparently mean the continued withholding of funds from the corporation, or the placing them beyond the control of that body, as Mr. Phelps, Mr. Peabody, Mr. Sheffield, and Mr. Street are stated to have done. The two results to which you refer are the want of any harmonious power to govern the university, by reason, as we suppose, of the existence of so many different boards of trust for the different funds given by different benefactors, and the making the Scientific School to overshadow the Academic Department. What effect this latter course which you predict would have on the present corporation, most persons familiar with the college will, I think, be unable to see. So far as I am able to comprehend your meaning, you seem, in this remark as well as in what you have said in regard to the portion of the faculty not under the control of the corporation, to have the idea that the Scientific School is an independent body existing outside of the college corporation. But, if this is your idea, it is wholly incorrect. The Scientific School was created by an act of the corporation, and is dependent on that body as truly as is the Academic Department. If the former were to overshadow the latter as much as the latter overshadowed the former when the former had been in existence but a year, the existing corporation would be in no sense interfered with either in their rights or powers. The two departments are united in one larger institution, which is all under the control of the same board of trustees. If either should grow to ten times its present strength, or if either should die away, the board would have the same control over the larger growth or the single surviving branch that it now has over both the branches alike.

V. Yourself and your associates seem to hold it as an established and admitted fact (see your first article in the *Nation*, for example) that your sentiments in this matter are held universally by the graduates of the last fifteen years; and that if the corporation do not, as you express it, "abdicate," Yale College will fail to receive to itself either the sons or the funds of the graduates. For one, I am free to say that I do not believe the fact to be as you suppose, nor do I believe the result predicted will follow. I do not believe that any considerable majority of the graduates of the last fifteen years care very much about the question, or have any desire corresponding with yours to change the corporation—any such desire, to say the least, as would make them *unwilling to give* to the college in case no change were made. I know that some of them do not agree with you at all in regard to the matter. You must remember, also, that the graduates of more than fifteen years' standing are quite as largely—not to say far more largely—on the other side of the question; and that they are the portion of the graduates to whom the college must naturally look, for a good many years to come, for the funds which are needed, because they, much more than the younger men, have property already acquired. Men grow conservative, too, as they grow older, and it would not be surprising if some of the younger men should change their views before their funds and their sons have progressed sufficiently to be in readiness to be given to the college. Mr. Walter Phelps, in his commencement speech, placed all of the graduates of over fifteen years' standing among the conservatives. The time will certainly be very brief before the younger graduates will have passed their fifteenth year of graduated life, and thus *may* have become conservatives themselves.

VI. It seems to me, since, as you intimate, the ministers must "abdicate"—that is, must be persuaded to give up their places in the board of *their own free will*, in order to the accomplishment of the change which you and your associates desire—it seems to me, I say, that a more persuasive and conciliatory style than the one which the writers of your party adopt would be better adapted to accomplish the end. Connecticut ministers—particularly those among them who pass their lives in Squashville—have as much humility as most men, and are as ready as ordinary Christians when smitten on the one cheek to turn the other also. But I must confess that it does not appear probable to me that the bold and public charge of incompetence for their work, or the threat that, if they do not resign their office, dire vengeance in the form of "no funds and no sons" will follow, will be likely to increase their willingness to abdicate. When the most humble and the



most saintly men are pushed beyond a certain point, they sometimes become a good deal like those who are less saintly than themselves, and it is scarcely good policy to call them bad names or to tell them that if they do not mind what we say and give place, as they ought to, to wealthy and honorable gentlemen whom we can easily name, we will never give them any money to the end of time. They may turn upon us and say, Perhaps you would not give us any money, even if we followed your will. Some men of other professions, under similar circumstances, we are sure, would say, Give or not, as you choose, we are not going to be driven from our position by threatening language. At all events, my own experience has taught me this, and you will pardon me if I say it to you, my dear sir, that human nature in ministers is very similar to what it is in other men, and that the ends of persuasion are not often accomplished except by persuading.

My suggestions, as you will notice, have all of them reference to the manner and style of your defence of the side which you have chosen in this controversy. Of the merits of the controversy itself, I have already said that I have no wish to speak. My opinions, which may differ somewhat from yours, and also from those of the Rev. Mr. Pickering, are not of much consequence to the public; but I am quite sure that many of the graduates of Yale will sympathize with the suggestions I have offered for your thought, and I think that some among the graduates may be glad that I have offered them.

With much respect, yours truly,

X. Y. Z.,

Of a Class previous to 1855.

NOVEMBER 25, 1870.

[Interesting as this discussion is, it is rapidly becoming too voluminous for our columns, and we cannot, in justice to such of our readers as have no special interest in Yale College, let it go any further. We have been compelled to decline several other communications on the same subject, and, with the publication of one more, already in hand, on the "Young Yale" side, the debate, as far as the *Nation* is concerned, must close for the present.—ED. NATION.]

### DOES PROTECTION PROTECT?

TO THE EDITOR OF THE NATION:

SIR: "E. A." in the last *Nation* expressed surprise "that the imposition of duties and the consequent increase of the cost of imported articles should cause such persistent controversy." He unconsciously gives an explanation afterwards in the assertion that American consumers of steel are obliged to pay "a duty of sixty per cent.," or \$9,000 on each \$15,000 worth used. I am buying from 90 to 120 tons of cast-steel yearly, and am interested in the article so far only as to wish to procure it as cheaply as possible, quality considered. I am quite unconscious of contributing so liberally to the support of the Government. Steel of the same quality costs me less now than in 1857 to 1861, when my supply came wholly from Sheffield. The tariff of 1861 raised the cost of steel and helped to establish its successful manufacture in this country: the domestic makers, in order to obtain a footing in the market, undersold their foreign rivals from the start, and still do so. I am using American steel almost entirely, yet I can, and sometimes do, buy Sheffield steel as low (in gold) as at any time since 1857. Plainly, "E. A." is wrong in his opinion of the effect of the present duty, and also, I think, in the rate, as a brief examination will show.

On steel, if it can be so called, worth three and three-quarter cents per pound, the duty of two and one-quarter cents is sixty per cent., but the same rate on steel worth six and seven cents per pound affords a duty of only thirty-seven and one-half and thirty-two per cent. Three cents per pound duty on steel worth over seven and not over eleven cents, and three and one-half cents per pound, with ten per cent. *ad valorem*, on steel worth over eleven cents, is forty-three per cent., if the lower limits are taken on which the percentage of duty is greatest: on steel worth ten and twelve cents per pound, the duty is but thirty and thirty-nine per cent., respectively.

M.

MIDDLETOWN, Nov. 30, 1870.

[ "M." has shown us his bills for the last ten years in proof of his assertions, but confesses his inability to say why competition between foreigners themselves should not reduce the prices of steel in this market as well as competition between foreigners and Americans.—ED. NATION.]

### A WORD FOR THE PRESIDENT.

TO THE EDITOR OF THE NATION:

SIR: Is not the *Nation*, and are not certain other newspapers, too severe in condemnation of Gen. Grant's present course and relation with the party chiefs? I remember that when the President began his career as such, he undertook to govern in accordance with what seemed his own way of seeing things, and defied the party leaders. In consequence, he was made war on by the politicians, his friends who were true men, like Hoar, driven away from him, his favorite measures defeated, and his influence materially diminished. And there was no such expression of public opinion in support of his independence as there should have been. The whole country looked rather with amusement than sympathy on his dilemma, and the only remark one heard was, that Grant had undertaken too big a job in trying to govern without the advice and aid of the politicians. When he brought things to an issue in the case of Judge Hoar, and the Senate declared war on him, the country looked on in perfect apathy, and no indignant expression of public opinion came to encourage the President. He was left to fight our battles without support. Finding that he could not fight it through on that line without forces, he had no other resource than to fall back on the politicians, as he is now doing. Who is to blame?

Readers of the *Nation* know that I have no reason to speak well of this Administration, and if my whole story were told, they would say that I had great reason to speak ill of it; but justice demands, it seems to me, that the President should be credited with good intention in many cases where bad results have actually obtained. Nothing can be more explicit than the President's message on reform of the civil service, yet I have the highest Congressional assurance that no bill is likely to be introduced favoring any other reform than the abolition of a few useless consulates; and even this is doubtful.

That the President should desire a second nomination is perfectly natural—it is the endorsement of his first, which every public man in his position would desire; and since public opinion condemned his efforts to govern without the party leaders, he naturally looks to the leaders for the support which he desires. I have no personal knowledge of Gen. Grant, but when such a man as Judge Hoar holds his faith in him unchanged, as I know he does, I cannot believe that I am mistaken in the opinion that, if the public interested in pure and unpartisan government had in the beginning come out and supported him, we might have had a far better Administration than we can now hope for. I think that justice to a great man, whose reputation is our pride, should make us all admit this.—Yours truly,

W. J. STILLMAN.

PLAINFIELD, N. J., December 6, 1870.

### MONOPOLIES AND THE FOURTEENTH AMENDMENT.

TO THE EDITOR OF THE NATION:

SIR: It becomes most of us to criticise with diffidence the opinions of our highest judges. But I think I am safe in suggesting a possible error in Judge Bradley's construction of the Fourteenth Amendment, given in the "Slaughter-house cases."

The provision of that amendment which seems to have governed the decision of those cases is, that no State shall make or enforce any law which shall abridge the privileges of citizens of the United States; and the court holds that the right to follow a particular calling is one of the privileges of citizens protected by that amendment. Now to me, at least, it appears clear that the purpose of the amendment was to protect the enjoyment of the privileges and immunities enjoyed by citizens of the United States *as such*—the privileges enjoyed by them, and by no one else—the privileges conferred by citizenship. To be sure, citizens have the right to slaughter animals. But how can the right be called a privilege of citizens of the United States, when aliens enjoy it equally with them? It is, I think, perfectly plain that the right to pursue a lawful employment, instead of being, as Judge Bradley says, a "sacred right of citizenship," has no connection with it whatever. It is, perhaps, a "sacred right" of humanity, but no more within the purview of the Fourteenth Amendment than the right to breathe the atmosphere.

H.

NEW YORK, Dec. 1, 1870.

### Notes.

#### LITERARY.

MR. S. S. RANDALL, lately Superintendent of Education in this city, has written a "History of the Common School System of the State of

New York," which will be published in January by Messrs. Ivison, Blake-man, Taylor & Co. It is unfortunate that Mr. Randall's style is not what it ought to be to attract readers, to say nothing of what we might expect from a prominent school officer. He has a seemingly incurable fondness for long sentences, which at times do not permit one to see the end from the beginning on the same page. In the two octavo pages of the Introduction to the present work he has found a pretext for using but ten full stops, though needing about nine hundred words with which to express himself; and two consecutive sentences occupy exactly one page.

—Counting ourselves among the well-wishers of the South in all that concerns her future prosperity, material and moral, we have read with no little interest Prof. Francis S. Holmes's brochure on the "Phosphate Rocks of South Carolina, and the 'Great Carolina Marl Bed'" (Charleston: Holmes's Book House, 1870.) The marl bed was a very precious endowment to the State, but it has been quite overshadowed by the discovery of the extent and richness of the phosphate rocks, since the conclusion of the rebellion. Mr. Holmes, who was lately professor of geology and palaeontology in the College of Charleston, and who first encountered these rocks as long ago as 1837, when carbonates were alone thought worth the seeking, enters into his subject *con amore*, for personal as well as professional reasons. He gives several colored plates of the strata of the Southern Atlantic coast and of the Charleston basin, and he endeavors to establish the derivation of the phosphates from the underlying marl by the agency of the fossil remains in which the basin so wonderfully abounds. In narrating the circumstances which led, only three years ago, to a realization of the mineral wealth which lay beneath the superficial soil, Prof. Holmes shows that, but for the interruption of communication with England on account of the rebellion, the discovery might have been made in 1864. Dr. Ansted's book on the "Geology of the Cambridge Beds of Phosphates," discovered at about that time, was procured by the author in August, 1867, and as it confirmed him in an opinion he had expressed in 1849, "that Charleston was located geologically on the same formation as that of the great city of London," he was encouraged to associate himself with the enterprise of developing the neglected resources of his native State. The connection between abstract science and human progress is seldom more striking than in this relation of Dr. Ansted's analysis of an English rock to the business of digging and treating for fertilizers the phosphate rocks of South Carolina—a business which has created a new commercial staple, and has already attracted six millions of Northern capital; and which, in the case of the beds of navigable rivers, was, as our readers may remember, lately made the monopoly of a company not too careful to give a *quid pro quo* to the State. Prof. Holmes enumerates a dozen other considerable companies that operate upon land.

—The Minnesota Historical Society has just published the first part of the third volume of its Collections. It contains several memoirs of distinguished citizens of the State and of friendly Indians, some historical reminiscences, a translation of Pénicault's "Relation," and other papers of local interest. What is of most value, and will command the attention of librarians and students of history, is Mr. J. F. Williams's very full "Bibliography of Minnesota," which occupies not less than sixty pages. It is, as the compiler remarks, a matter of surprise that so much has been printed relating to a State organized as a separate commonwealth only twenty-one years ago. Mr. Williams, who is the Society's librarian, has arranged his titles by subjects, and chronologically, with cross-references and an alphabetical index of authors. Three pages are devoted to works concerning the Indian tribes of Minnesota, and six to the Dakota bibliography (works written for the mission, educational and religious). A history of this mission is given by Rev. Stephen R. Riggs, who has himself been a great part of it, and is the author of many of the works comprehended under the heads just alluded to. The Rev. S. W. Pond, who seems to belong to the church militant—not only on account of the singular record he has kept, but because he relates that when a certain Dakota had been killed by the Chippewas, he "urged" the tribe of the former "to try to kill" the murdering party, who were concealed in a grove easily surrounded—enumerates the number of those slain on both sides in the warfare between the Dakotas of the Mississippi and Minnesota in the course of the ten years 1835-1844. The number is not great, and Mr. Pond explains why it is not, the principal reasons being that the Indians do not fight when they can help it on even terms, and that the taking of a single scalp makes a hostile expedition a success. In considering the influence on this tribal warfare of the presence of United States forces in the territory, he concludes that the loss of life "was not much, if any, less, most of the time

after Fort Snelling was built than it was before." This was especially due to the fact that the Indians "were compelled to restore all captives taken in war, and they preferred scalps around which they could dance to captives whom they could not retain."

—President Barnard's recently printed "Analysis of some Statistics of Collegiate Education," written a year ago, and read last January to the trustees of Columbia College, is deservedly exciting attention, and ought to be more widely distributed than was intended. The enquiry was undertaken with a view to ascertain, if possible, the reasons for Columbia's backwardness in growing, and what might be hoped for it if, like Harvard, it threw off the classical strait-jacket, and adopted a more liberal course of studies. The immediate conclusion reached—that New York City has too many colleges for its needs, and that Columbia is likely to gain in numbers only by removing the college into the country—is of least consequence to the general reader of Dr. Barnard's pamphlet. What he shows by the way has interest for the intelligent population of every State. His remarks upon the irrational and disastrous multiplication of colleges are eminently truthful, and it is a pity they could not be laid before all those well-meaning citizens—there are scores of them, at this moment, we are confident—who have planned in their wills to establish a new academy or high-school or college, without suspecting that they are about to inflict a positive injury upon the higher education they wish to foster. The result of this imprudence in the past has been, in the language of Dr. Barnard, "either that the country voluntarily bears a burden, in support of collegiate education, three or four times as heavy as it need be," since a college adequately equipped can as cheaply educate several hundred students as the eighty now educated on the average; "or that, of the institutions which bear the title and legally exercise the privileges of colleges, a very large number are not well provided with the instrumentalities indispensable to the efficiency of educational agencies of the highest grade."

—In New England (excepting Maine), in New York, and New Jersey, there are twenty colleges, not counting Columbia, whose catalogues have been examined by President Barnard, with results to be mentioned. Not less than six of these, we observe, are distinctly denominational, while as many more owe a large part of their support to sectarian considerations. Nearly all draw students from this city and vicinity—Yale most, and more than twice as many as Harvard, which stands next, but not twice as many as it drew in 1830, when the population of New York was only a third of what it is now. This fact is one of several which induce Dr. Barnard to assert "that everywhere throughout the country, that system of general mental culture which is to so large an extent dependent on the careful study of classical literature, and which has been so long believed to be indispensable to finished scholarship, is losing ground from year to year in the favor of the people; and, consequently, that the number of students liberally educated among us, in city and country alike, when compared with the total population, is steadily diminishing." For instance, in the States under consideration, the ratio in 1840 was 1 to 1,602; in 1860, 1 to 1,699; in 1868, 1 to 1,901; in 1869, 1 to 1,841—the war having something to do with the decline between 1860 and 1868-9. Or, regarding the college age, in 1840, one person out of 67 who were suitable received a college education; in 1860, one out of 71; in 1868, one out of 79; and in 1869, one out of 77. But, again, discarding all those students not belonging to New England, New York, or New Jersey, only one in 93 of the proper age is now educated in their colleges, or one in 2,200 of the inhabitants. If, further, "we exclude from this comparison the three New England States, Vermont, New Hampshire, and Maine, which furnish a considerable number of students to the colleges of Massachusetts, Rhode Island, Connecticut, and New York, while themselves scarcely drawing any from these latter States, we shall obtain a result still more striking": in the old and populous States remaining after this exclusion, "only one student is sent to college for every 2,567 inhabitants, and only one young man in 107 is liberally educated." Finally, in the twenty colleges, the students from abroad are to those from the same State as 1,684 to 1,718; and in six, the former greatly outnumber the latter. One of these is Yale, of whose 518 students Connecticut furnishes but 146—one to about 4,000 inhabitants. In 1824-5, it furnished 178, or more than half, and one in 1,600; in 1836-7, 194, a little less than half, but in the same ratio of population; in 1865, this contingent fell to 114.

—Taking "liberal education" in the narrow sense in which Dr. Barnard employs it, there can be no doubt that, *prima facie*, he has made out a case, and that the colleges are losing ground when brought in compa-



rison with the increase of population. This increase, however, is mainly due to the immigration of foreigners, whose language or condition, or both, prevent them from sending their quota of recruits to our higher institutions of learning. Connecticut's growth since 1836-7 has been, as everybody knows, of this description, and before we yield to the apparent force of the argument derived from her neglect of Yale, there are other statistics which we might exact. For instance, in the past thirty-five years, what change has taken place in the relative proportion of native and foreign-born citizens of that State? What part of the emigration from it to the West has been from among the classes that support our colleges? and what is the total number of students belonging to Connecticut now attending colleges, whether in the State or out of it, as compared with that in 1836-7? Ten years hence these queries might be answered without our being obliged to make so much account of the war as now. Among the minor causes, the higher education given to girls has, perhaps, in mixed families with limited incomes, determined against collegiate education for the boys; and it will not, we suppose, be doubted, that knowledge is more generally diffused now than thirty years ago, and that the sources of information have so multiplied, and the means of instruction so improved, as to lessen the value of college teaching in the eyes of the public. Along with all this, the learned professions have been steadily losing in prestige; and since they used to be the chief end of studying Greek and Latin, their decline has naturally involved that of classical instruction.

—The decline of the ministry has been illustrated in a discourse at Amherst by the Rev. Mr. Cushing. He selected the eight New England colleges which were founded by Congregationalists, chiefly with the view of turning out ministers, and reviewed their alumni for the fifty years, 1815-65. In that time he found they had furnished 16,240 graduates, of whom 4,109, or about twenty-five per cent., became ministers. But, dividing the half-century into decades, the proportion of ministers ran thus: Thirty, thirty-five, twenty-seven, twenty, and eighteen per cent.; and the actual numbers, 688, 988, 946, 730, 757. In the last decade, the total number of graduates is nearly double that of the first, while the number of ministers is but slightly increased. Amherst has been most productive of ministers—forty-six per cent.; Middlebury, forty-two per cent.; Williams, thirty-three; Yale, Dartmouth, and the University of Vermont, twenty-four each; Bowdoin, twenty-one; and Harvard, eleven.

—"Orthodox Phrenology" is the suggestive title of a recent English publication, which would seem to commend itself to Mr. Beecher; and this, too, is not opposed to his ways of thinking: "The Intelligence and Perfectibility of Animals, from a Philosophic Point of View, with a Few Letters on Man," by Charles Georges Leroy. Dr. C. D. Ginsburg has published "The Moabite Stone," a fac simile, with a translation. Mr. J. M. Camp writes a "Baptist History, from the Foundation of the Christian Church to the Present Time;" and the Rev. Thomas Vasey furnishes an Introduction to a "Life of John Wesley," for children. "A History of Animal Plagues," by G. Fleming, who has written about horse-shoes and horse-shoeing, we take to be a practical sort of work, of value to stock-raisers. Naturalists will be interested in Mr. H. C. Watson's "Compendium of the Cybele Britannica, or British Plants in their Geographical Relations;" and artists in Mr. William Walker's "Lessons in Animals and Figures as applied to Landscape Painting." When our postal cards come into vogue (and an enterprising Yankee publisher has printed some for use, of course without any authorized reduction of postage), we may be glad to avail ourselves of the late Admiral Sir Francis Beaufort's "Cryptography: A System of Secret Writing adapted for Telegrams and the New Halfpenny Postage Cards," which is itself published on a card, and sells for sixpence.

—"The *Phoenix*, a monthly magazine for China, Japan, and Eastern Asia," is the title of a new literary venture in London, under the conduct of Professor James Summers, of King's College. The necessarily restricted circle of readers to which a magazine of this class is addressed prevents the indulgence of very sanguine hopes that it will prove a commercial success to its projectors. In a literary point of view, it is neither better nor worse than the numerous predecessors of a similar nature which are to be found on the book-shelves of most Orientalists. Some inscrutable law, moreover, appears to operate against the continuance of an "Asiatic" magazine after the hand which launched it has ceased to labor for its pages. The *Chinese Repository*, *Chinese and Japanese Repository*, *Notes and Queries on China and Japan*, *Straits Magazine* (the first-named successfully edited for a period of twenty years by our erudite countryman, Dr. S. Wells Williams, now U. S. Secretary of Legation at Peking), and a host of others, have lived and died within our own memory, until

we have come to the conclusion that the law referred to is absolute. We mean, however, no disparagement to the pages of the *Phoenix* in our remark as to its comparative value. Publications of this nature have usually received the hearty support of leading Orientalists, as being the only means of making public the results of their special labors, and the number before us contains several papers of interest. Mr. Hyde Clarke, foreign secretary of the English Ethnological Society, contributes a good article upon the ancient Scythians. A review of General Alexander's dramatic adaptation of an old Chinese romance, is perhaps the most noteworthy paper of the current number, which also contains an article on the Tientsing massacre—which is, of course, inevitable in any publication supposed to bear, however remotely, on Chinese topics. A translation from the Chinese entitled "The Pearl-embroidered Garment" is amusing, and a "Note on the Manchu Language" by the editor shows considerable labor.

#### THE MAGAZINES FOR DECEMBER.

It is imagined that in the magazine world as well as in the vegetable it is always evident when the year declines towards its end. The preparation of the January magazine, the number extraordinary, which is to appear in the December holidays, at the time of the making of presents, is held to be very exhausting to editor and publisher, and the December issues—or rather those of mid-November—are usually held to be, in consequence, far feebler than common. This, however, we take to be a mistaken view, and arises, we imagine, from popular comparison of the magazine in possession with the prospective magazine with its heralded list of famous names—names which, as a matter of fact, very commonly cover magazine matter which is no better than the general run of periodical literature, and often is not so good. It may be the proverbial blindness of authors to the relative merits of their various works; or it may be their easy good nature, worked upon by the clamors and supplications of publishers; or it may be for some reason so discreditable as carelessness of their own reputation and of the interests of literature, provided only money may be had; but, for whatever reason, it is certainly true that both here and in England men of eminence can be got to sell to the publishers, more especially at the time of the New Year Magazines and Annuals, and to accept excessive pay for them, productions which often seem the mere sweepings and leavings of their portfolios and study-tables. Oftener, perhaps, they sell productions not quite so bad as that, but still far below the level at which it becomes men of eminence to remain, and, too, far below the level at which it is profitable for the rest of us that they should remain. It is, of course, their names that they sell; or, at all events, their names is what the publishers buy, and the quality of the goods purchased very frequently appears to show that the seller knew very well the nature of the transaction. Thus it is that it happens, as we think we have observed, that despite the great noise which ushers in the first magazines of the year, these are not in the average better than the other numbers, and thus it happens that the December numbers are popularly pronounced weak. It is not that the preparations for January induce mental and spiritual exhaustion in the editor; primarily, the evil has its root in ourselves, that we are such persons as greedily to buy cheap stuff if it have a dear brand on it; and, secondarily, in the publisher, who takes advantage of this weakness of ours, and in the poets and essayists and statesmen and divines, and celebrated persons generally, who are not above pocketing money in a transaction which they can hardly hold in high estimation.

The December magazines are on the whole readable, though there is in them hardly any work of the first class—if we except Mr. Howells's essay and Mrs. Stowe's story in the *Atlantic*.

The former, if only for the rarity of its kind, may be said to be a work of the first class. It is marked by all Mr. Howells's subtlety and delicacy of humor and fancy, and it is careful and finished in point of expression, as is sure to be the case with the work of this writer, who is not a writer to whose example any author will ever refer when the question comes before him of selling his name with some crude or trivial writing attached.

A humorist of a decidedly different sort, as respects either subtlety or delicacy or finish, is Mr. Ralph Keeler, who writes "The Confessions of a Patent Medicine Man"—a promising subject, but here treated in an unskilful way. The mixture of narrator and the subject sketched is unpleasantly obvious; and the subjective humor of the writer adds nothing to the effect produced by such glimpses as we get of the really grotesque creature whose portrait he had an opportunity of painting. Some of the stories told are amusing, and probably there is little or nothing false in them. Very unsuccessful, too, is Mr. Barnet Phillips's clumsily elaborate

and elaborately clumsy "Rudolph"—an essay which appears to be an attempted satire on the system of education which crams the heads of children with more knowledge than is good for them. Such a sketch, if not based on fact, is nothing; and, if based on fact, it would require affidavits for its support, and only then could it be anything more than a disagreeable literary failure.

Other humorous pieces in the *Atlantic*—which, as it happens, is largely made up of articles falling under this general description—are Mr. W. J. Stillman's "John Bull at Feed," and the "Oldtown Fireside Story," by Mrs. Stowe. Mr. Stillman's essay is not particularly new, but it is pleasant reading of its well-known kind; and whatever may be thought of some of its assertions by the admirers of French cooking and the Franco-American cooking of this city—where, Philadelphians and San Franciscans to the contrary notwithstanding, it is alone in America possible for men really to dine—every instructed person will admit that its main doctrines are worthy of all acceptance, and that it would be well if they could be urgently preached in all our borders. Competent observers testify of the American woman in her highest state of development, that her most cherished notion of dinner is to have some flowers on the table, and an elegant dinner service. Some form of pork, hot bread, strong coffee, no flowers on the table, and something sweet and indigestible, is the notion of a dinner entertained by vast numbers of both the women and the men of that portion of the American population which is less developed; while in many parts of the country there is an uneasy feeling, perhaps derived from our Puritan ancestors, that there is something disgraceful in eating at all, and dinner is looked upon as a necessary but regrettable recognition of the domination of Satan over man, while man is yet confined in the corrupt house of this body. For one reason or another, although American water, earth, and air teem with materials for the very poetry of food, and dinner might here be glorified, there are nowhere in the world forty millions of souls who feed so wastefully and dine so little as the people of the United States. Moral causes are doubtless at the bottom of it. There is surely no geographical reason for this peculiarity of ours. Across the imaginary line that separates us from our Provincial friends, there is dining—dining as solid, substantial, leisurely, earnest, dignified, and productive of robust men and women, as in London itself. Perhaps, even as German immigration is teaching us how to drink, the Canadians, when General Butler and Mr. Chandler have "enticed" them over—as the mate said when he hit the sailor with the handspike—may teach us Christian habits of eating.

Mrs. Stowe's sketch is admirable, and adds one more to the proofs that her best purely literary reputation she has earned in the field of close sympathetic observation and successful reproduction of distinctively New England life. In literary history her place is very secure; for one thing, never was a book more opportune than "Uncle Tom's Cabin," and whether or not it will long be much read or much admired, it will never cease to be spoken of as long as American slavery is remembered. And as long as Byron's story is talked about, Mrs. Stowe has a second security against oblivion settling on her name. But when the enlightened New Zealander comes and seats himself on London Bridge, to survey the ruins of Saint Paul's, if he has the means of making a comparative estimate of Mrs. Stowe's various works, we are mistaken if he does not hold that her best title to admiration is not the opportune Uncle Tom, despite Aunt Ophelia and Topsy, nor the pieces of poetry, nor the prophetic swamp negro, nor the argumentation in the Byron case, but the singularly successful picture, instinct with genuine life, of the shiftless, handy, good-natured, lazy Sam Lawson, who deserves a place beside Mr. Birdofredum Sawin, though with his opinion as to "religious privileges" he might be uneasy at the proximity. It is the will rather than the moral sentiment that has fallen into decay in the genus of New Englanders of which Sam Lawson is the type, and he will doubtless die on the Plymouth Platform with his "mind clear" as any deacon's on points of doctrine, and a prayer at his funeral as comforting to his relief as she could desire.

For the rest the *Atlantic* has the conclusion of Mr. Henry James's story called "Travelling Companions." It is clever and interesting, and Mr. James's usual inscrutable young woman suggests agreeably the better sort of American young ladies. We do not find, however, that the direct effort at putting her before us succeeds in doing so. The love-making dialogue, in particular, is highly extraordinary, and Miss Evans would be justified, we should say, in breaking her engagement on her arrival among her friends in New Jersey, though her self-dissecting, criticising, mystery-making lover may very likely, as is the natural fashion of such, have shown himself even troublesomely fond when once accepted. "Father

Blumhardt's Prayerful Hotel" is a fairly good description of a curious community of enthusiasts, not unlike our Spiritualists as regards the reasonableness of their faith. "A Virginian in New England" is interesting, though certainly not exciting; it gives one a very favorable impression of the diarist, and gives us, we confess, a little chill by the picture it presents of the Massachusetts life of thirty-five years since. "Indian Summer" is to be commended for its truth of detail, for its good feeling, and its accuracy of observation, and will, by reason of these good qualities, give pleasure. In our own case, the pleasure was a little marred by the lack of *vraisemblance* in the incident upon which the story hinges. The poetry of the number is by Mr. Whittier and Miss Larcom, and the book-notices are numerous and good, except that of Mr. Arthur Helps's last publication, which yet has a good deal of truth in it.

*Scribner's Monthly* has a prosperous look, and bids fair, we should think, to become the favorite magazine of great numbers of people. That being the case, it is much to be wished that it should be kept free from such things as the poetry of the "Honest Fairy Story." It is, of course, not so bad as the verses which opened the last number—they constituted a glaring offence against good manners, and even against common decency. But there is an inherent vulgarity in such things as these verses, with their accompanying illustrations, which also is demoralizing in its way, and a thing to be regretted. The piece entitled "Love's Young Dream" is less objectionable, but it will do no one any good.

The first article of *Scribner's* is an illustrated paper on "The Street Venders of New York," and will be of interest both inside and outside of this city, as it gives some account of odd occupations pursued by a strange class of persons, who are striking figures in the panorama of New York street-life, and of whom more by far is seen than is known—persons such as the balloon-seller, the chestnut vender, the armless man in Park Row, who whittles with a knife held between his toes, the tooth-powder man, and the *Siempre vive* seller. The second paper is a compilation (illustrated) of narratives of remarkable escapes effected by jail-birds or other prisoners, and is of a kind to be popular. So, we suppose, is Mrs. Harding Davis's "Natasqua;" it is like all her other work, and that, if not so well liked as at first, still finds numerous readers. Other articles in this number of the magazine are a good moralizing of an old monkish legend, by H. H.; a "Thanksgiving Love Story," of a good-natured sort, by Mr. E. Eggleston; an instalment of George Macdonald's serial novel; a readable enough description of Berlin; a rather noisy essay by Mr. Samuel Hopkins, who knocks the Pope about fearfully, and has a bang or two for Francis Joseph, and Napoleon, and Isabella; a description (illustrated) of the Hoosac Tunnel; and some other matter, including Mr. Welford's *Bookbuyer* letter from London.

About the most noticeable thing in *Old and New* nowadays is the way in which the editor continues to make, from month to month, his one or two jokes upon the words "old" and "new." It begins to be something like watching a man on a dangerous tight-rope, whose effort may every time be successful, or may at any time be fatal failure, and who gives the spectator rather more pain by his danger and his profitless dexterity than his skill can give pleasure. The other contributors and contributions to the December *Old and New* are Dr. Bellows ("Natural and Revealed Religion"); Dr. J. F. Clarke ("Wanted, a Statesman"); a translation of a rather feeble essay ("The Four Gospels") by Sainte-Beuve; "The Improvisatore and the Heeler," by Mr. F. W. Loring, a young writer of promise, who, however, seems to be as yet in bondage to Dickens, and who might very profitably study methods more realistic; "Jefferson's Rip Van Winkle," which is too eulogistic in tone; and more of "Pink and White Tyranny," which may be much enjoyed by homely young ladies as doing full justice to that silliness passing the silliness of woman which female novelists sometimes discover in young ladies whom dazzled and stupid man thinks pretty. "The Dying Gladiator" is an essay worth reading, written by Mr. Theodore Lyman, who sums up the arguments and theories as to the nationality and character of the man represented by the celebrated figure, and, after deciding it to be a Gaul, goes into some ethnological speculations which at least are not wanting in dash. "Athens and her Enemies" is some spirited verse by Mr. William Everett; and this, with some pretty stanzas by Mrs. A. D. T. Whitney, and some more by "H. H.," who can, when she likes, be sibyllic enough to be extremely puzzling to the average mind, make up the poetry of the number. "Ah Ying" we must mention as some readable talk, by a man who appears to know his subject, about the Chinese merchants of San Francisco. Honorable and able men he asserts them to be, and of rather better mercantile standing in California than an equal number of traders of any other nationality.



*Lippincott's* for December is as good a number of this magazine as we have ever seen. The first article tells a strange story about a certain Southern gentleman who occupied the curious position of being known by influential Southerners and influential Northerners to be in the service of the rebels as a messenger, if not a spy, at the same time that he was the Southern correspondent of a loyal Northern newspaper. He went South and North as pleased him, always provided with necessary credentials, and while, as we have said, known in his double capacity to some officials and officers on both sides, to most he was known as the devoted adherent of the side to which they themselves belonged. We do not know how well worthy of credence the story may be, although from the manner of relation we are disposed to accord it full belief. It is tantalizingly told, with suppression of real names—a necessary precaution, perhaps, though one would think that, except in a few cases, the writer might have disregarded it. It would, for instance, be counted for glory, we fear, rather than for shame, to the Northern editor who hired our rebel friend as correspondent.

Another readable article is the lively description of the new Florida—the winter resort of invalids. The soil, climate, flowers, birds, beasts, reptiles, and insects, the writer takes up in turn, and as he has well seen what he is writing about, and is in apparently high spirits, and is well contented with himself, and is not afraid of a bad joke—though he certainly very well might be—he has succeeded in making a bright, entertaining, cheerful article, which we suppose may be useful to such invalids as do not intend going to Florida as well as those who do. Here, for instance, are some comically well-selected adjectives: "A cage full of paroquets is a comical sight; they are perpetually quarrelling—cursing and swearing at a great rate." And here is something about the mocking-bird which everybody may believe who likes:

"The bird is, however, considered rather a dissipated character, and sets a bad example to the young people. I have always thought that a young man who can sing well is in great danger of falling into bad company, and is likely to acquire wild habits; and this bird is a case in point. He forages about, singing in his neighbor's vineyard while he robs him, until the berries of the Pride-of-China tree are ripe, and then he proceeds to have a regular frolic, acquires a habit of intoxication, and gets as drunk as a lord. It is curious to see a flock of these birds at this time. They become perfectly tipsy, and fly round in the most comical manner, hiccupping and staggering just like men, mixing up all sorts of songs, and interrupting each other in the most impudent manner, without any regard to the politeness and decorum that usually mark the intercourse of all well-bred society, whether of birds or men. They will fly about promiscuously, intrude on domestic relations, forget the way home, and get into each other's nests and families, just like the lords of creation. After the berries are all gone and the yearly frolic is over, they look very penitent, make many good resolutions, join the temperance society, and never indulge again until the next season comes round and the berries are ripe once more.

"I do not think that naturalists have noticed this peculiarity, and I have the honor of calling their attention to my interesting contribution to natural history. I believe that this habit is peculiar to birds that sing, just as wine and song go together among men. It is only another proof that wine is a mocker."

Solider articles are that by Mr. E. A. Pollard—who takes an encouraging view of the condition and prospects of the South, and who writes in a better and more mature style than is usual with him—and that by Mr. Amasa Walker, entitled "Expansion and Contraction." Mr. Walker is of opinion that the action of Congress, in relation to the currency, has been such that resumption of specie payment by the Government and the banks "must be regarded as indefinitely postponed;" and he adds that, on account of this action, the United States would seem to be willing that they should be rated financially with Austria and Russia, the condition of whose currency "has been their disgrace for half a century." He adds farther, however, that "while saying this we do not admit for a moment that the people of this country acquiesce in such a decision of this great question." He apparently expects something from the next Congress, or more probably, perhaps, from the Congress that shall come together after the next Presidential election.

Among the other contents of *Lippincott's* is a touching little unmitigated love story, by Mrs. Harriet Prescott Spofford—having in it some small quantity of "chrysophrase" and the like, but, on the whole, written really well, and containing some of the least objectionable of "word-painting" and of that "intensity" of feeling which is to true strength of feeling what hysterics are to high athletic training. "Louis" is the title of the story, and it may, we think, be enjoyed by people whom much of its clever author's previous work has affected unpleasantly. "The Applan Way" is a characteristically smooth, and correct, and verbose set of stanzas,

by Mr. T. B. Read. "Cacoethes Scribendi" is another love-story with a certain perfectly common and perfectly likable rawness and artlessness which it will doubtless please good-natured people to read. "Our Monthly Gossip" has some talk about Gottschalk which will interest musical readers; a pro-French discussion of the German policy of annexation; some reminiscences of the once famous Nicholas Biddle, who, it appears, had a knack of making impromptu verses; an apparently honest description of the condition induced by hashish, and a eulogy, by "Ouida," on Colonel Pemberton, an English officer killed at Sedan, who, according to most accounts of him, deserved better of his fellow-creatures in Philadelphia and elsewhere than to be written down as "my friend, the author of 'The Scapegoat,'" by one of the most shameless and corrupting of contemporary female writers.

The *Galaxy*, in taking leave of the old year, promises for the new year a number of articles on Americanisms of speech (Mr. Grant White), which cannot fail to have value; a series of sketches of life and adventure by "Porte Crayon" (Col. D. H. Strother), whose pen and pencil are favorably known to old readers of *Harper's Weekly*; a novel by Mrs. Edwards; more of the "Memoranda" of "Mark Twain," and more of the contributions to American history, made by men who have helped to make our recent history, which have helped to fill the columns of its last volume. Of these contributions, some of the pleasantest have been those made by Mr. Thurlow Weed, who in this December instalment of his reminiscences is especially agreeable and readable. Without doubt, his "Autobiography of Mr. Thurlow Weed" will do much, in virtue of its frankness and straightforwardness and modesty, to keep his memory sweet; it can hardly fail to persuade into a good opinion of him many persons who have hitherto thought of him as of a mere manipulator of New York politicians. The *Galaxy* has, besides, an interesting narrative of a visit to the domain of a Prussian nobleman living in feudal state in Silesia; a clever lady's description of Wilhelmshöhe; an essay entitled "Shakespeare as a Plagiarist," by Mrs. Abby Richardson, who writes with intelligence; some chapters of Colonel De Forest's "Overland," and of Mr. Justin McCarthy's "Lady Judith," two clever, sensible, and witty essays by "Philip Quilibet," who writes of the Franco-German war; some amusing extravagances by "Mark Twain," who amuses himself by laughing at one of the very British critics who disapproves of the American tourist as he appears in "The Innocents Abroad;" and a forcible plea for international copyright, by Mr. Charles Astor Bristed, who shows us how, and with what effect, we steal books from foreign authors. There are also in the *Galaxy* the usual number of book-notices and brief essays under the head of "Nebulæ;" and altogether the magazine well sustains its reputation as being our best magazine for light reading of current interest.

The *Overland Monthly* for December has, for its most noticeable article, another of Mr. Bret Harte's poems—"His Answer to 'Her Letter'"—which will hardly be as popular as most of its predecessors, though it has their characteristic marks of local Californian color, humorous perception of character and sentimentality. It might, by the way, be worth while to know how it has happened that the cockney use of the relative pronoun "which" obtains in California. Perhaps in that *congeries gentium* are to be found the idioms, vulgar, of all lands; but we should imagine that most Eastern readers not saturated with Mrs. Gamp would find lines such as these that follow striking strangely on his ear:

"Being asked by an intimate party—  
Which the same I would term as a friend—  
Which his health it were vain to call hearty,  
Since the mind to deceit it might lend."

Of really good articles in the *Overland* for this month, one of the best is a careful one by Mr. Charles W. Stoddard, who is known to some of our readers as a skilful verse-maker and a poet worth some attention. "A Canoe Cruise in the Coral Sea" is the title of it. Good, too, is the historical sketch of Mr. Robert J. Walker's Administration in Kansas, and that of the Red River Country and its people.

The attention of all careful readers of Mr. Froude's "History of England" should be given to the current number of the *Catholic World*, in which there is an essay, learned, vigorous, more candid in tone than is usual in the case of semi-polemical controversy, and seemingly conclusive, which attacks Mr. Froude for something worse than what at the best is gross carelessness. The article has been preceded by others equally worthy of study, and is to be followed by still others which may very probably be of still further discouragement to the pictorial and partisan school of history-makers. Most of the other matter in the *Catholic World* will be equally edifying to the Romanists and to the Protestant reader, it being of

the Catholic argumentative order as regards logical method, and the subject-matter being such as is generally left to religious disputants.

In *Harper's* we have Mr. Curtis in a graceful, kind, and sensible essay, written apropos of the so sadly timely and untimely death of the late Fitz Hugh Ludlow; also, on "The Perils of Political Life;" Mr. M. D. Conway, in the last of his curiously learned papers, entitled "The Sacred Flora;" half-a-dozen illustrated articles of the kind known to all the world, and very full "Literary," "Scientific," and "Historical Records," followed by the stories of the "Editor's Drawer"—making altogether the typical American magazine, and one of which we need not be ashamed; although its existence as it is need not prevent us from indulging, in respect of magazines also, our American belief in an indefinitely better future in store for us.

### HOLIDAY BOOKS FOR THE YOUNG.—III.\*

THE animals talked about in "Curious Facts for Little People" are the mole, badger, otter, deer, dog, sheep, horse, birds, dolphin, and whale, with a capital illustration for each. The stories are fresh and attractive, and told in simple language as well as printed in bold type; and the book is altogether a handsome and appropriate gift for a little child.

"John Whopper" began his mendacity, we believe, in *Old and New*, and though in the magazine the story was apparently designed for adult readers, it can hardly be classed by itself unless among juvenile publications. As the intellectual product of a grown man, or as the amusement of men and women, the performance is slight enough; but school-boys and girls may possibly enjoy the fancy of a newsboy's trips through the earth's centre to the antipodes of Boston—to Canton in China—his passage through the earth's axis to the North Pole, and subsequent voyage home on an iceberg. A certain local flavor is given to these adventures which will make them rather more interesting to read in the circle of which the *Boston Transcript* forms the centre than elsewhere. But the fiction is too purposeless to find enduring favor, we apprehend, even in those limits among the young.

As to Mrs. Samuels's success as a writer for children, there will hardly be two opinions among the little folks themselves. The six books which form her "Springdale Stories" will be found interesting by all children, from the youngest who can read at all up to boys and girls of twelve or fourteen years; and two or three of the volumes—"Adele," for instance, and "Netta's Trial," and "Johnstone's Farm"—might be read aloud by parents to still younger ones, and found entertaining by both readers and listeners. And that, we suppose, is as much as saying that the books have plenty of incident, very little moralizing, no mock sentiment, and are written in what the author calls "readable English," which is not over the heads of the audience. The children, too, whose adventures are related, though we are not going to praise them for their naturalness, are yet quite sufficiently like real boys and girls to make a personal interest in them quite possible. Whether, however, the account of all the "hair-breadth 'scapes" that Mrs. Samuels puts her little heroes and heroines through—one of them, a boy of twelve or thirteen, goes down in a diving-bell, saves a baby from a burning house when all the adult firemen are afraid to venture, sets a prairie on fire and narrowly escapes being scalped by Comanches; and the others have adventures nearly as thrilling—whether, we say, so much exciting reading will not make anything short of a sensational novel pall hereafter on the children's tastes, is a question which parents might do well to take into consideration. The books are certainly more interesting than children's books are apt to be, and that they are so is due to the easy simplicity of the narrative and the rapid succession of striking incidents. That they are not over-probable incidents nor particularly natural characters to whom they occur, are defects which will be likely to trouble adult readers more than the little ones—and we suppose, too, that it is not at all to the detriment of the latter that the good children in these stories are once in awhile almost too good for this

world, and the naughty ones—even when, like Warden Nelson, they are capable of beating smaller boys and even attempting to smother them—are reclaimed and made over into plucky saints with almost too great a facility. Optimism, even when it is a little exaggerated, is certainly the philosophy of life for children.

There is nothing to be urged against the "Fairy-Folk Series" on the score of its exciting character; and children being, whether fortunately or not we do not pretend to decide, so willing to read or listen to anything in the shape of a story, they may not impossibly give pleasure to such of them as have nothing better to measure them by. They are tolerably dull, however, and show on the part of their authors a commonplace effort to be imaginative, and a desire to be perfectly decorous, and a willingness to adapt themselves to the supposed capacity of their readers, which is a rather melancholy indication that writing children's books is not the precise work for which nature intended them.

"On the Seas" is an English book, the scene of which is, however, laid in the first place in "New York, the greatest merchant city in the United States of America," where the father of its hero, Captain Griffin, has a "handsome house in the Broadway." It is not a bad story of adventure in the Arctic seas, written with a certain old-fashioned simplicity of manner, and boys of twelve and upwards might find it interesting reading.

Very much better than it, however, and for readers about the same age, is Mr. Locker's story of life in the Australian gold diggings. Mr. Locker seems to understand his audience better, and to respect both them and himself more than is often the case with people who write for boys. His incidents are exciting without being unhealthily so; and, with every temptation and facility for heightening his effects by means of the horrible, he never tells a cruel story, keeps himself well within the bounds of probability, and writes with a pleasant straightforwardness which will do his readers good. It is a book which may safely be put into the hands of boys, which is true of very few of the books written expressly for them.

We being judge, as much could by no means be said of Mrs. Wood's "Orville College Boys." As a picture of school-boy life it seems to us to be worse than worthless; and the only moral it would be likely to suggest to readers of any age is, that a little less Christian forbearance, and a little more manly assertion of his authority and his claims to respect on the part of the martyr of the story, the persecuted German master, would have been much better for all parties concerned. This is the book, too, which Mr. Hope, the amusing author of the "Book about Boys," criticised as having been written in a "peculiar dialect, based upon English"—a criticism which any page taken at random more than justifies.

We cannot number the years since our first reading of William Howitt's "Jack of the Mill," but it was long ago, and we are glad to see the story revived, finding our pleasant recollections of it confirmed on reperusal. It is not beyond criticism, as an artistic narration, but that will not injure it in the opinion of its proper readers. It is written, as it clearly shows, pretty much as it was told by the fireside, being, as the preface describes it, a "hatch-up"—that is, a tale invented as the author went along, and therefore unnecessarily (though we think agreeably) spun out with descriptions of nature and other makeshifts for the exercised imagination. This is especially true of the first part, which only after repeated tellings, perhaps, was linked with a more serious design than pure entertainment. As it is, it is a semi-historical novel, relating to the persecutions of the Lollards and the wars of the Hussites, under Ziska, and inculcating religious freedom also by examples of Jewish fidelity and humanity. The portraiture of Old England in those days, both in its scenery and in its social and political condition, is calculated to leave truthful and lasting impressions, while the romantic adventures of the hero are, if our own experience is a test, sure to be vividly remembered beyond the age of childhood.

### BOOKS OF THE WEEK.

Authors.—Titles.	Publishers.—Prices.
Appleton's European Guide-Book, 1870.....	(D. Appleton & Co.)
Atlantic Almanac for 1871.....	(Fields, Osgood & Co.)
Bramston (Mary), Cecy's Recollections.....	(Geo. Routledge & Sons)
Dorothy Fox: a Tale.....	(J. B. Lippincott & Co.)
Du Chailu (P.), My Apingi Kingdom.....	(Harper & Bros.)
Ingelow (J.), The Monitions of the Unseen, and Other Poems.....	(Roberts Bros.) \$1 00
Konewka (P.), Illustrations to Goethe's Faust.....	(Roberts Bros.) 0 75
Black Peter.....	(Hurd & Houghton)
Lindley (Capt. A.), After Ophir.....	(Cassell, Petter & Galpin)
Longfellow (H. W.), Poets and Poetry of Europe.....	(Porter & Coates)
Moore (Dr. C. H.), What to Read, and How to Read.....	(D. Appleton & Co.)
One Trip More, and Other Stories.....	(Cassell, Petter & Galpin)
Proctor (L. B.), Bench and Bar of New York.....	(Diossy & Co.)
Proctor (R. A.), Other Worlds than Ours.....	(D. Appleton & Co.)
Rennan (E.), Constitutional Monarchy in France.....	(Roberts Bros.)
Simms (E. W.), Principles and Practice of Levelling, 5th ed.....	(D. Van Nostrand)
Wood (Mrs. H.), The Orville College Boys.....	(Geo. Routledge & Sons)
Clever Jack, or the Adventures of a Donkey.....	(J. B. Lippincott & Co.)
Hammond (Dr. W. A.), The Physics and Physiology of Spiritualism.....	(D. Appleton & Co.)
Eiloart (Mrs.), From Thistles—Grapes? and.....	(Harper & Bros.) 0 51

\* "Curious Facts for Little People about Animals. By the author of 'Bears, Boars, and Bulls, and other Animals,' etc., etc. With twelve illustrations. New York: E. P. Dutton & Co. 1871.

"John Whopper the Newsboy." With illustrations. Boston: Roberts Brothers, 1871.

"The Springdale Stories. Illustrated. By Mrs. S. B. C. Samuels." Boston: Lee & Shepard, 1871.

"The Fairy-Folk Series. By the Authors of 'The Fairy Egg.' In 3 vols. Vol. I., Daffy Down Dilly and her Friends. Vol. II., The History of A B C. Vol. III., The Wonderful Bag, and What Was In It." Boston: Loring, 1870.

"The Orville College Boys. A Story of School Life. By Mrs. Henry Wood, author of 'East Lynne,' 'The Channings,' etc. New York: George Routledge & Sons.

"Stephen Sendamore the Younger; or, The Fifteen-Year-Olds. By Arthur Locker." With illustrations. New York: George Routledge & Sons, 1871.

"On the Seas. A Book for Boys. With illustrations." New York: George Routledge & Sons, 1871.

"Jack of the Mill: A Fireside Story. By William Howitt. With forty illustrations by G. F. Sargent." New York: George Routledge & Sons, 1871.



